

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, January 28, 2010 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF JANUARY 14, 2010, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

OLD BUSINESS

- 1 09-424-870 Greg Brendemuehl**
Re-establishment of nonconforming use as a 4-plex
267 Front Ave, between Matilda & Galtier
B2
Sarah Zorn 651-266-6570
- 2 09-423-979 Walgreens (Ford Parkway)**
Site plan review for a new Walgreen's Drug Store and second commercial building
2101 Ford Parkway
B2
Tom Beach 651-266-9086

NEW BUSINESS

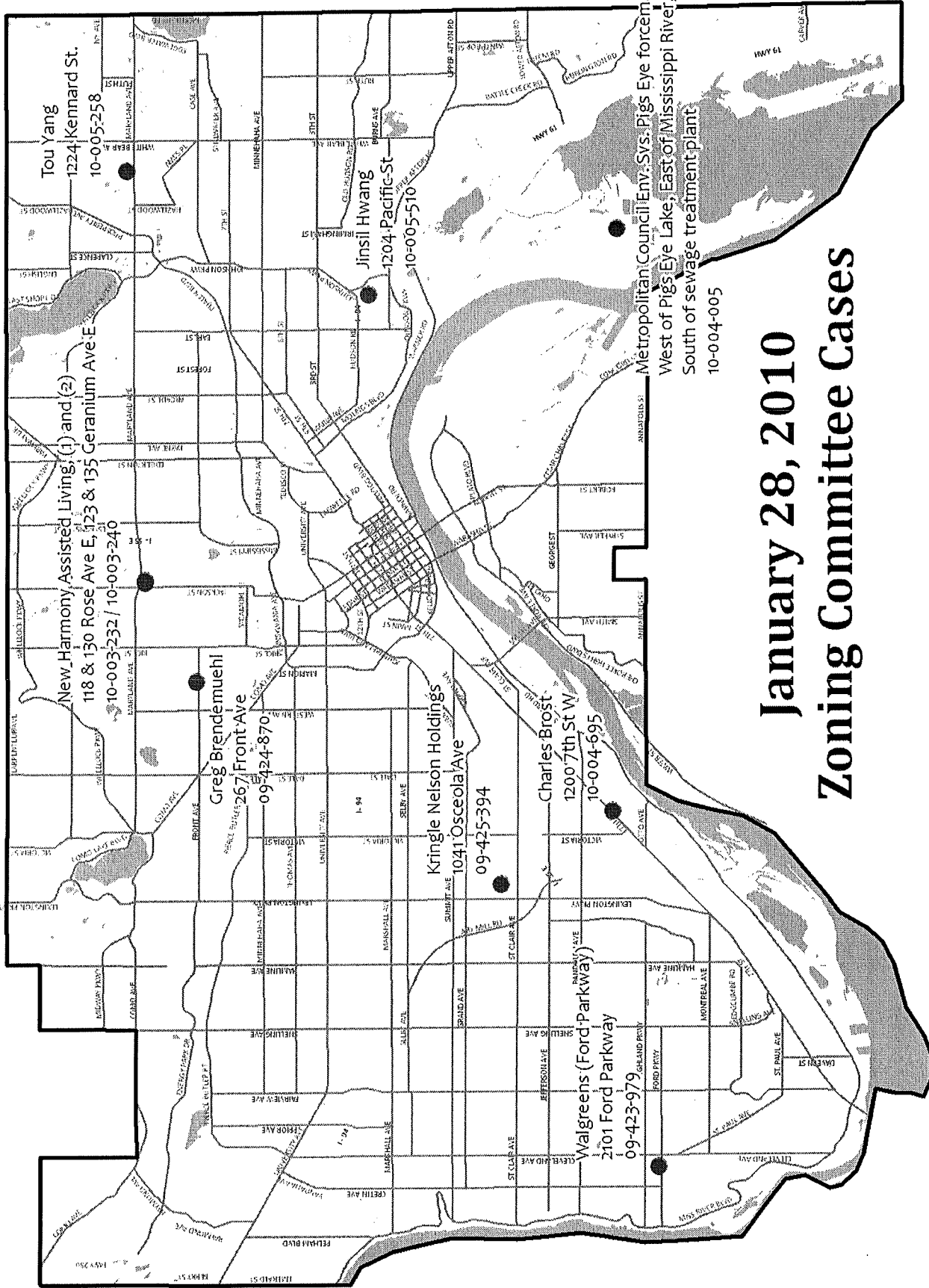
- 3 10-005-258 Tou Yang**
Re-establishment of nonconforming use as a duplex
1224 Kennard St, between Orange and Maryland
R3
Sarah Zorn 651-266-6570
- 4 10-005-510 Jinsil Hwang**
Re-establishment of nonconforming use as a duplex
1204 Pacific St, SW corner at Griffith
R4
Sarah Zorn 651-266-6570
- 5 09-425-394 Kringle Nelson Holdings**
Change of nonconforming use from mixed residential/commercial
(1 commercial unit and 4 residential units) to 5 residential units
1041 Osceola Ave, NW corner at Oxford
R4
Sarah Zorn 651-266-6570
- 6 10-004-695 Charles Brost**
Change of nonconforming use to add outdoor auto sales to existing nonconforming auto
repair business
1200 7th St W, NE corner at Tuscarora
B2
Emily Goodman 651-266-6551

- 7 10-003-232 New Harmony Assisted Living**
Rezoning from R4 One-Family Residential to RM2 Multiple Family Residential
118 & 130 Rose Ave E, 123 & 135 Geranium Ave E
R4
Penelope Simison 651-266-6554
- 8 10-003-240 New Harmony Assisted Living (2)**
Conditional use permit for assisted living facility, with variances of number of units permitted
and parking lot/driveway location
118 & 130 Rose Ave E, 123 & 135 Geranium Ave E
R4
Penelope Simison 651-266-6554
- 9 10-004-005 Metropolitan Council Env. Svs. Pigs Eye forcemain (2)**
Conditional use permit for forcemain (sewer) construction in the river corridor, with
variances of a number of river corridor standards
Property lying west of Pigs Eye Lake, east of Mississippi River, south of St. Paul sewage
treatment plant
I2
Josh Williams 651-266-6659

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Allan Torstenson at 266-6579 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



January 28, 2010 Zoning Committee Cases

25 West Fourth Street, Ste. 1400
Saint Paul, Minnesota 55102

DEPARTMENT OF PLANNING &
ECONOMIC DEVELOPMENT
Cecile Bedor, Director



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6700
Facsimile: 651-228-3220*

January 20, 2010

RE: Zoning File #09-424-870

Re-establishment of legal nonconforming use as a 4-plex
267 Front Avenue

Members of the Zoning Committee:

On December 29, 2009, the Zoning Committee voted 4-1 to deny the application to re-establish the nonconforming 4-plex use at 267 Front Avenue, but to approve the re-establishment of two units. At the January 8, 2010 Planning Commission meeting, it was suggested that the case be returned to the Zoning Committee for further consolidation. The Planning Commission unanimously approved this action.

The staff report and packet are the same materials presented at the December 29th meeting; however, the following items have been added to this packet as they were received/completed either at or following the Planning Commission meeting:

Request for Continuance

Letter and documents submitted by the applicant to members of the Planning Commission

Zoning Committee minutes from December 29, 2009

Sarah Zorn
Planning Staff

Request for Continuance

Date 2 Jan 2010

Gladys Morton, Chair
Zoning Committee
City of Saint Paul
1400 City Hall Annex
Saint Paul, Minnesota 55102

Re: Zoning File # 09-424-870

Dear Ms. Morton:

I am the applicant or the applicant's duly appointed representative for this zoning file.

I request a continuance of the public hearing on the application in this zoning file, which is presently scheduled before the Zoning Committee on Dec 29, 2010.

I understand that a continuance of the public hearing before the Zoning Committee means that the decision of the Planning Commission on this application, which is presently scheduled for Jan 8, 2010, will also be continued.

I request that the Zoning Committee continue the public hearing for this zoning file to Jan 23, 2010, I understand that the Planning Commission would then be scheduled to make their decision on Feb 5, 2010.

I am aware of and understand the statutory requirements found in Minn. Statue § 15.99 (1995) requiring the City of Saint Paul to approve or deny this application within sixty days of its submission. I desire to extend the sixty day period for a City decision under Minn. Stat. §15.99 by 19 days to Feb 19, 2010, to accommodate the continuance I am requesting.

Sincerely,

Greg Brendemuehl
Signature of Applicant or
Applicant's duly appointed
representative.

GREG BRENDEMUEHL
Printed name of Applicant or
Applicant's duly appointed
representative.

Committee of Seven made decision
to disapprove Non conforming permit of 267 based
on insufficient reasoning.

Reconsider based on events at hearing and supporting
information provided.

Four plex non-conforming permit should be
approved.

Opening fact: Certificate of Occupancy was
approved for four until building in 2004.

C of O was renewed and approved in 2007.

Committee Chair Re-Consideration

Staff Report Reasons for not approving Non-Conforming

- 1 House is not appropriate for use as four-Plex.

No Reason. Pictures show it is appropriate for use as Four Plex.

- 2 Proposed use will be detrimental to immediate neighborhood and to public safety.

Deconversion will cause more safety issues with construction.

Pictures show neighborhood parking on street is not congested and in consistency with surrounding properties.

ALL NEIGHBORS SIGNED PETITION AND ARE IN SUPPORT OF MYSELF/BUYER

Parking is not considered under Public safety and welfare.

District 6 Planning council Reason for not approving Non- Conforming Permit **Suggestion made over holiday, through email, and without notifying applicant**

- Present and past use indicated as single family use. FALSE
Pictures indicate use and stated approved on 2004 and 2007 four-plex use
- Small yard.
Large enough for recreation along with park in walking distance
- Removing garage, but with concerns of land pollution.
Due to past applicant painting cars
- Council Plan to increase home ownership
Were made aware I am homesteading property
Apartments have been accounted for by district in recent years
- Enough current units Community.
There are Four CURRENT units.
- House falls into removal due to not going in house and seeing 73 deficiencies on inspection.
Deficiencies have been financially considered and accounted for by buyer

Conclusion

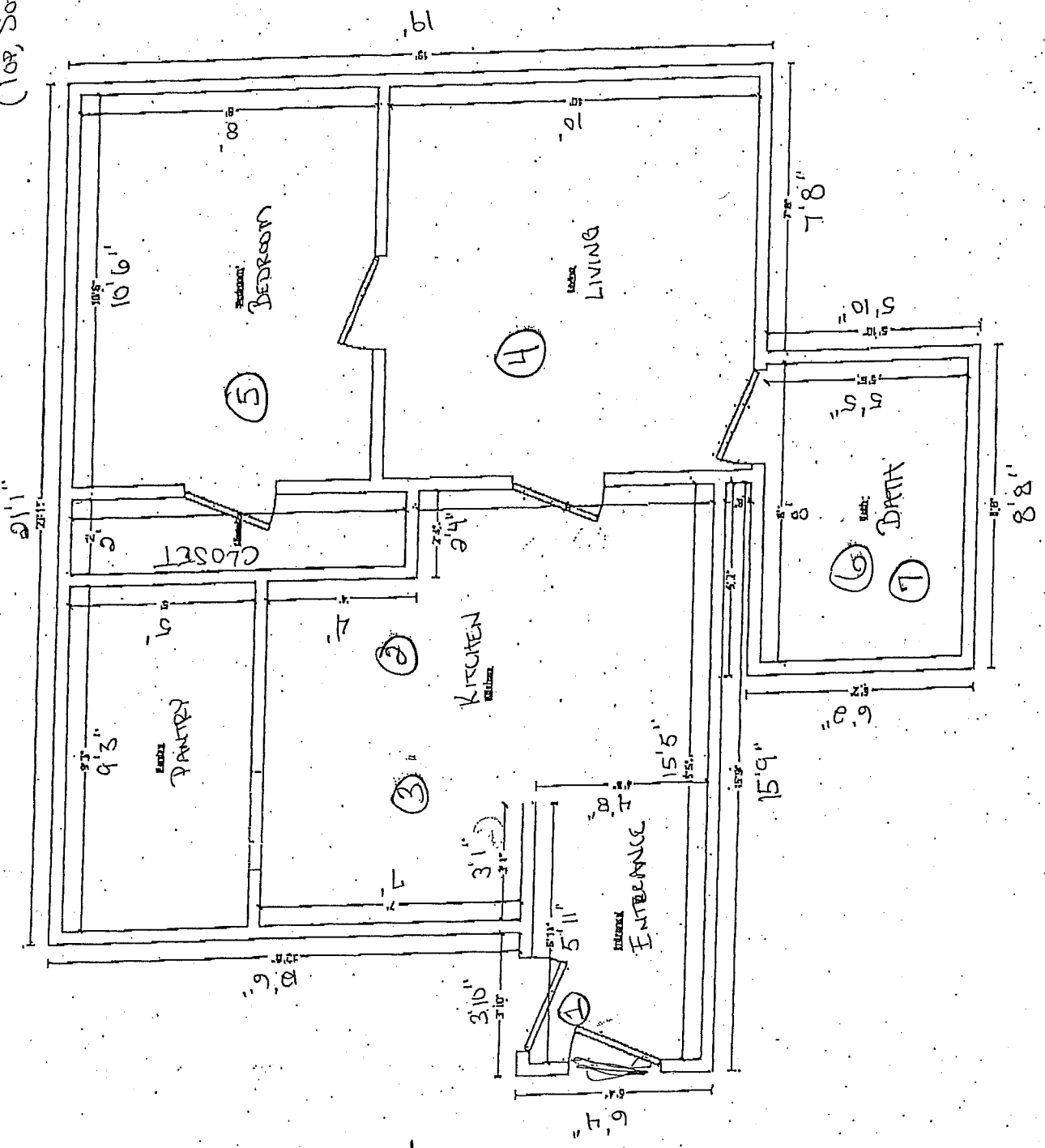
Restoring house to working order in current condition is good for community.

Financial impact of 100k plus to change to duplex.

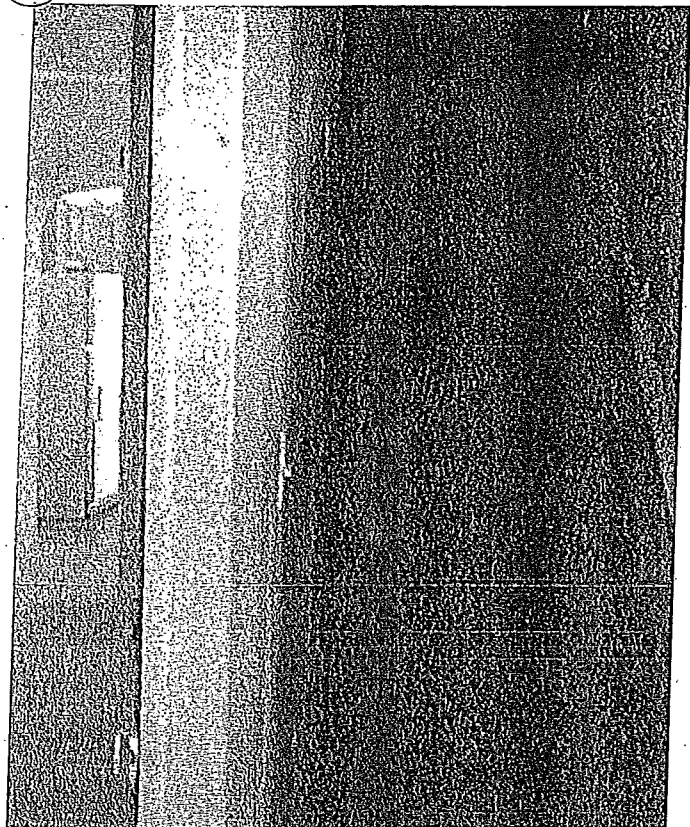
ONE BEDROOM (Top, South)

BREND-909066-RC

START

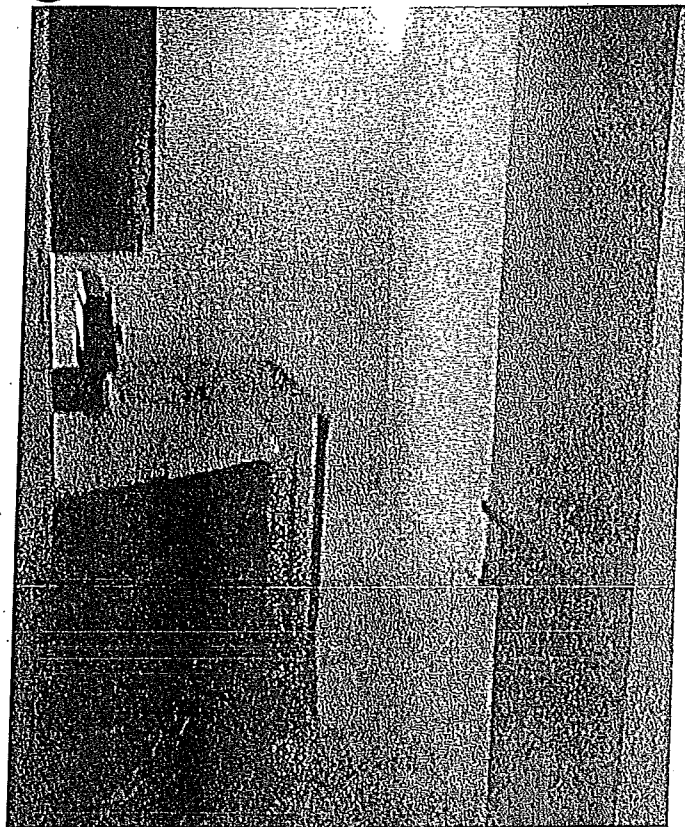


①



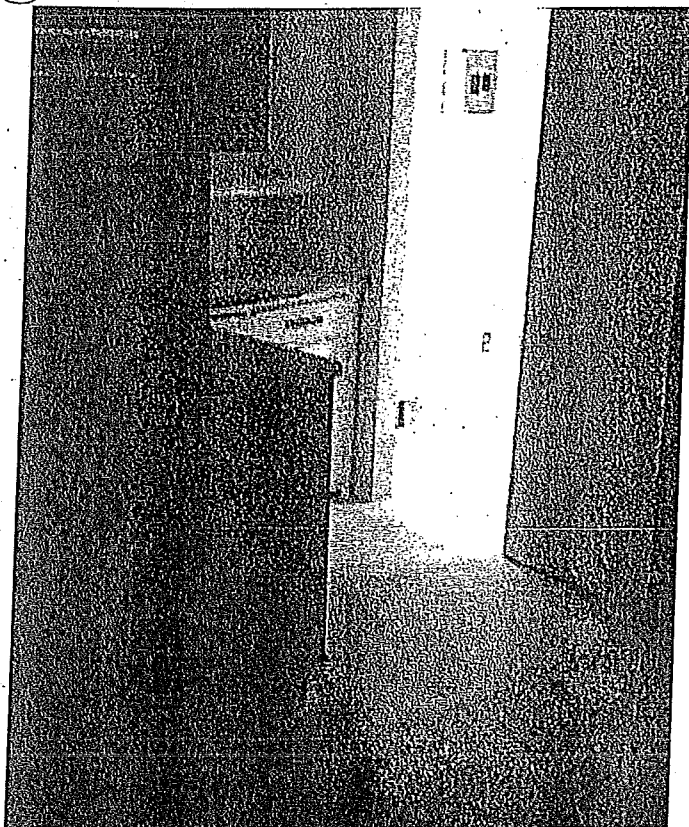
FRONT ENTRY (UP TO 1-BED)

②



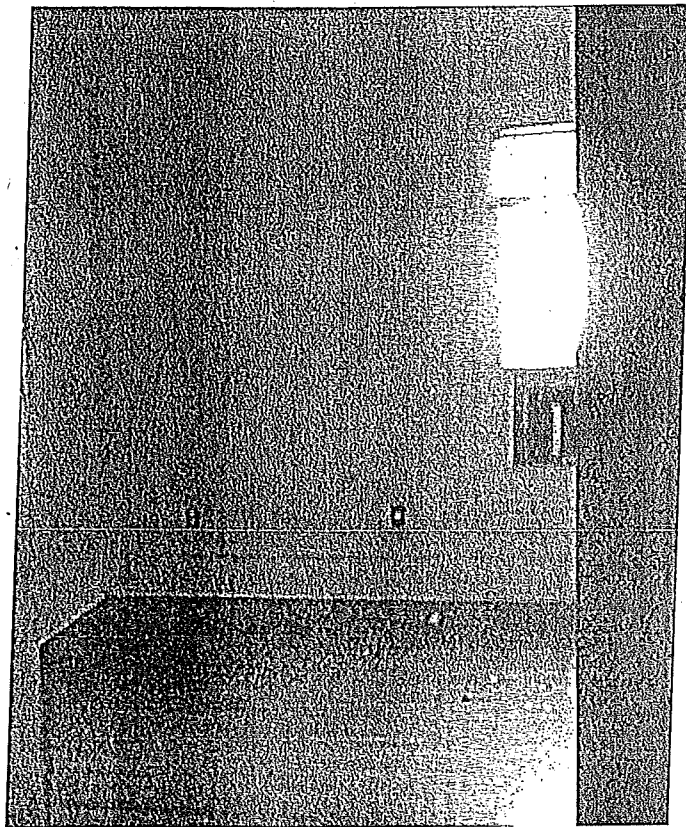
1-BED KITCHEN

③



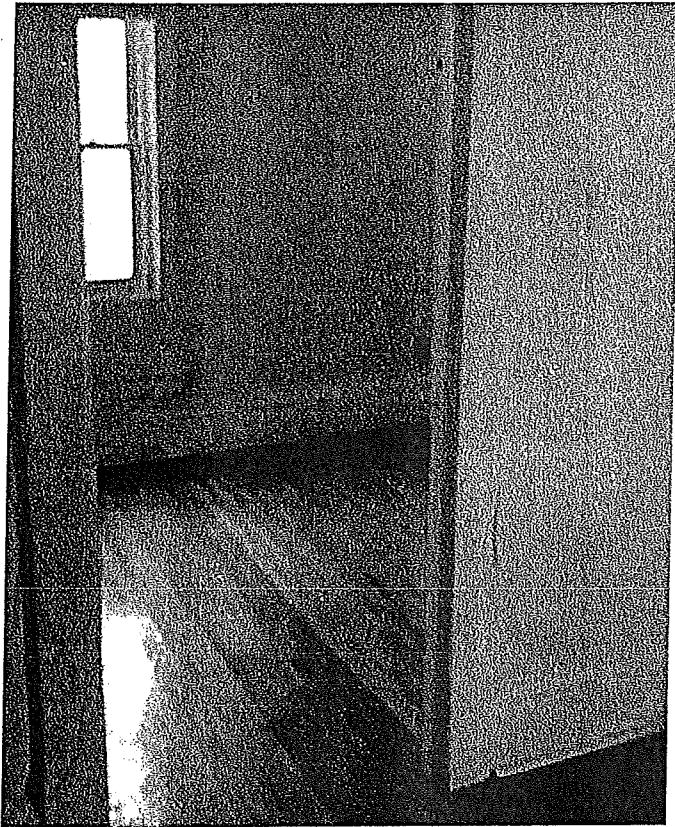
1-BED KITCHEN

④



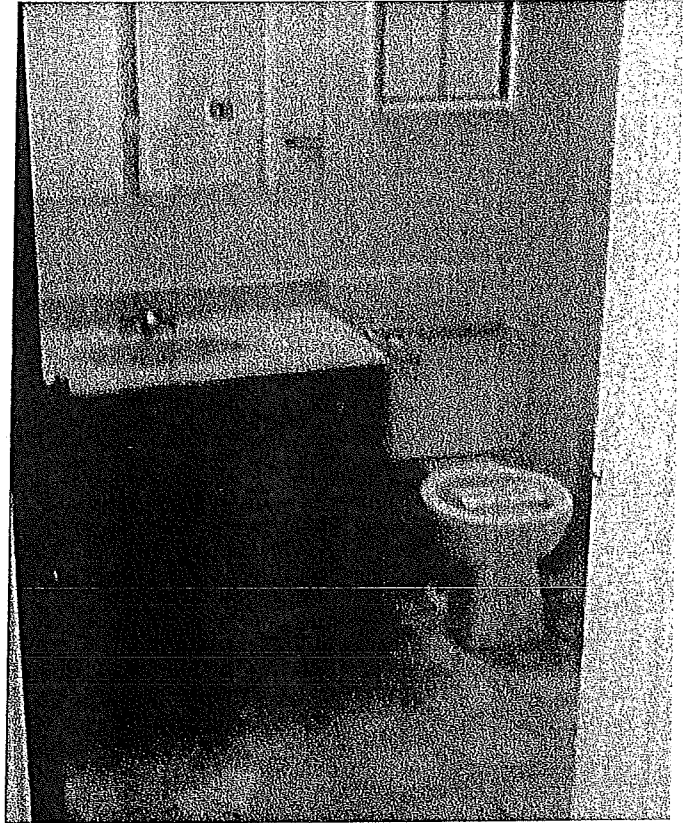
1-BED LIVING ROOM

⑤



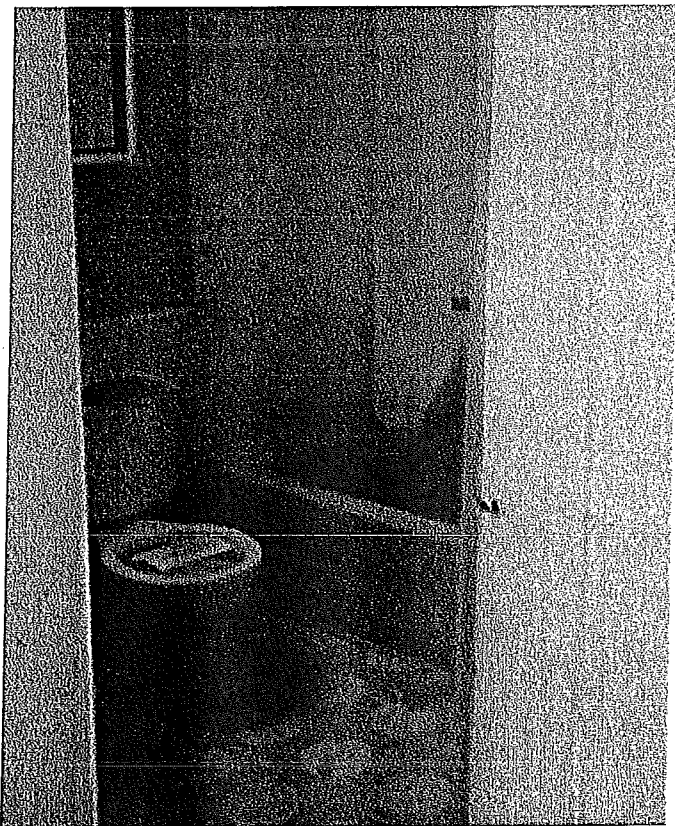
1-BED BEDROOM

⑥



1-BED BATHROOM

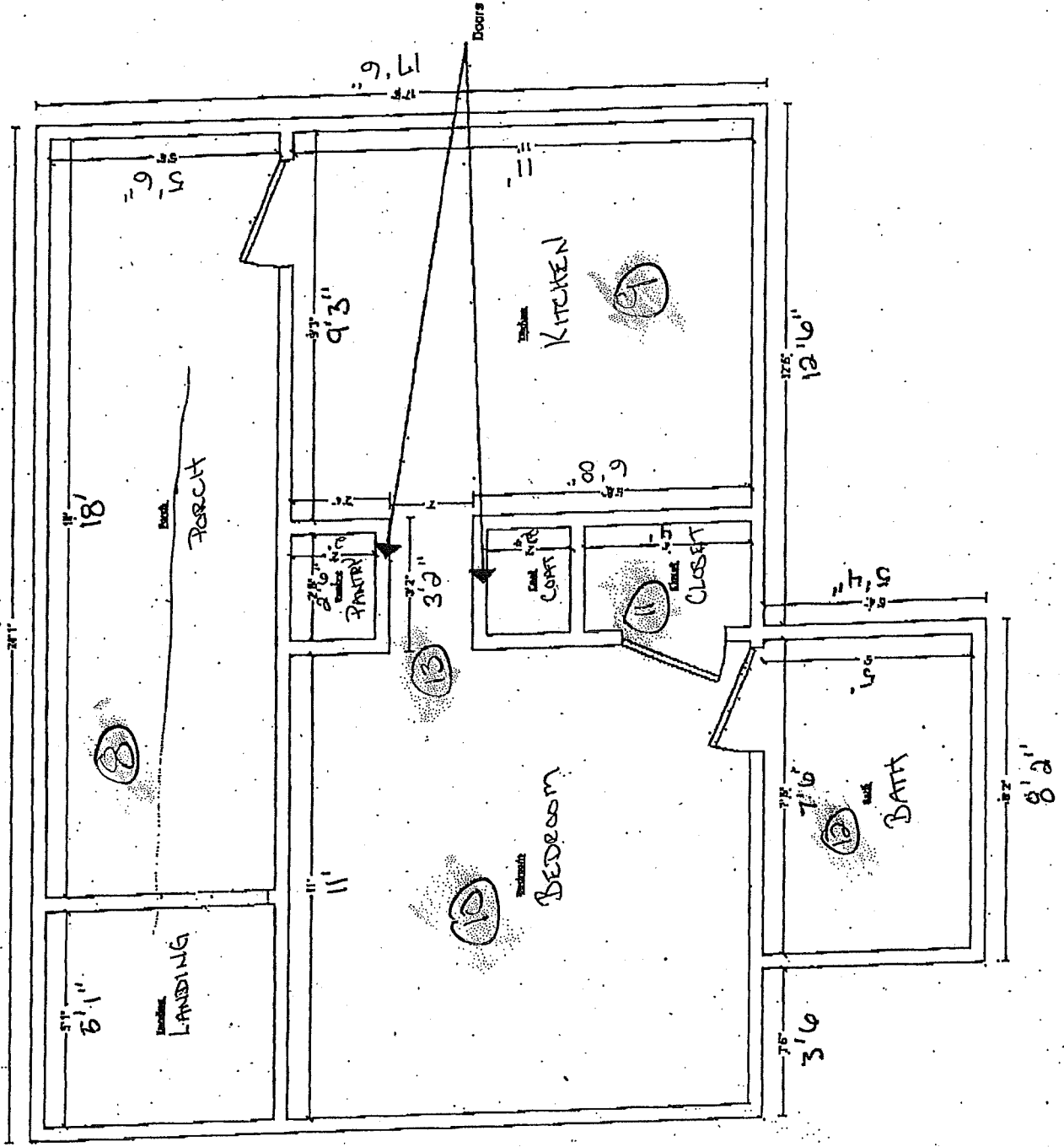
⑦



1-BED BATHROOM

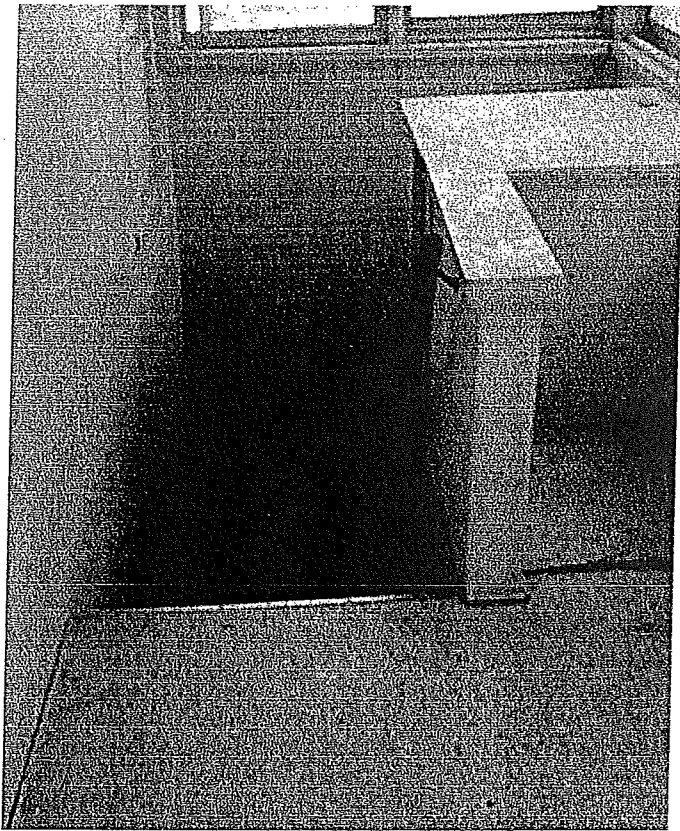
STUDIO (TOP, NORTH)

North



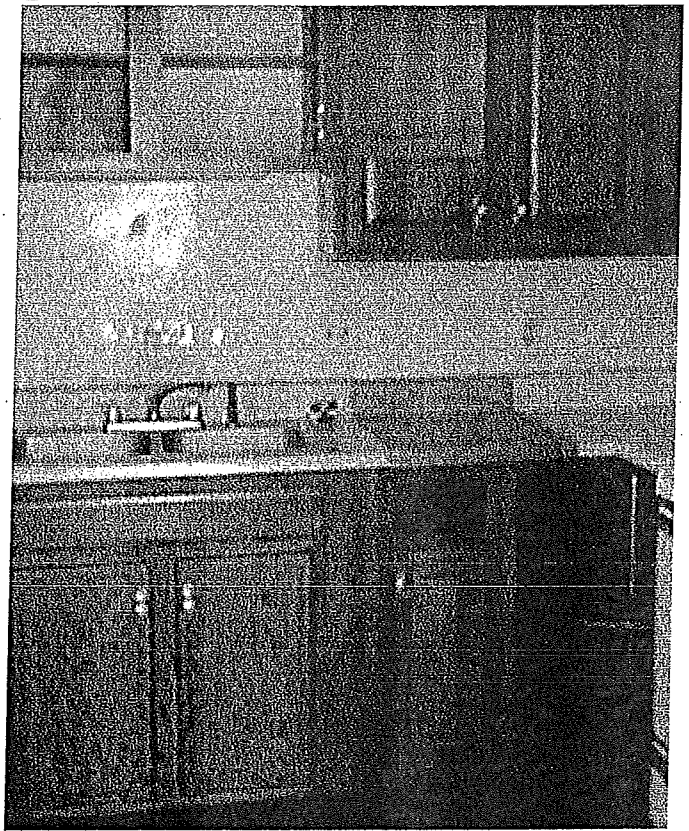
North

8



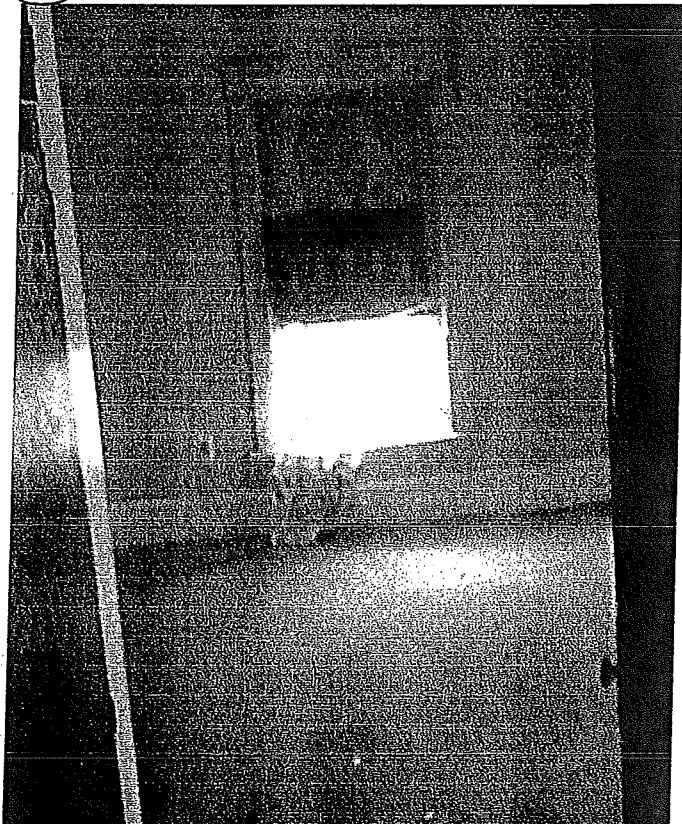
BACK STAIR UP TO STUDIO

9



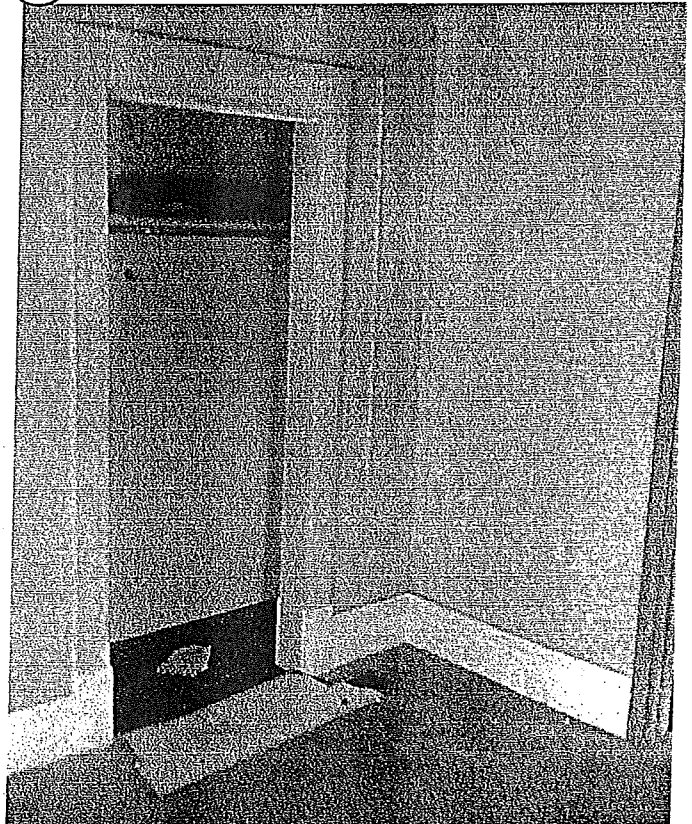
STUDIO KITCHEN

10



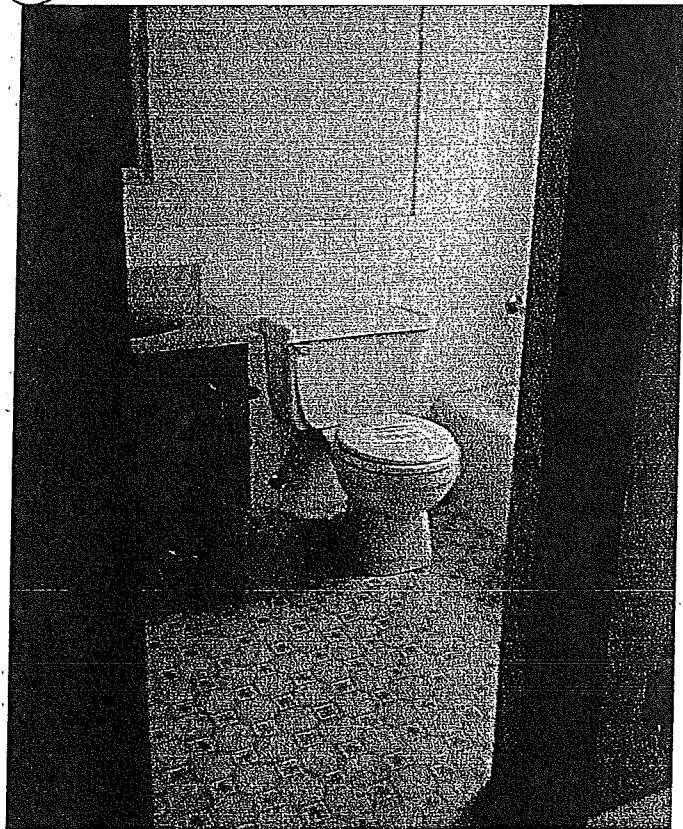
STUDIO LIVING/BED

11



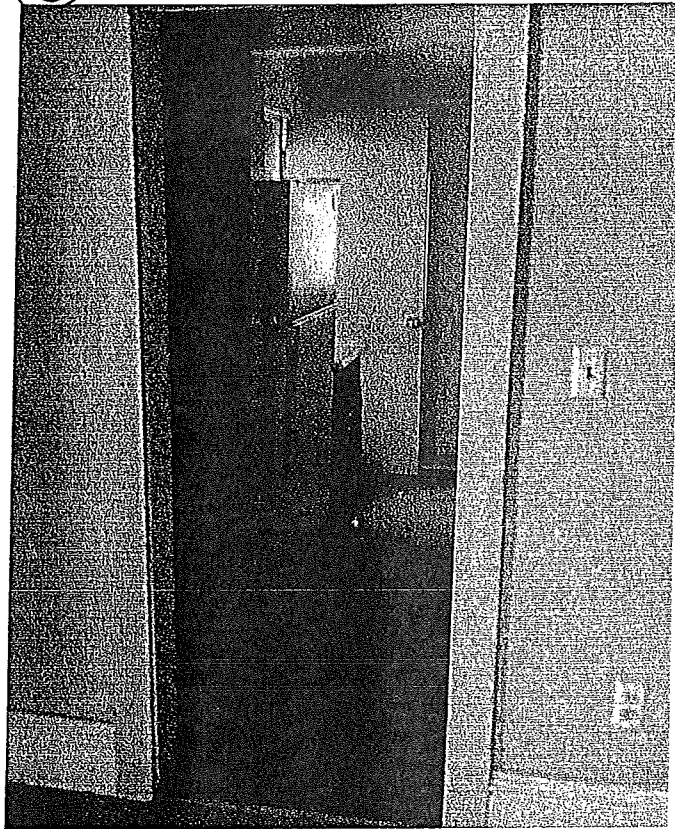
CLOSET

12



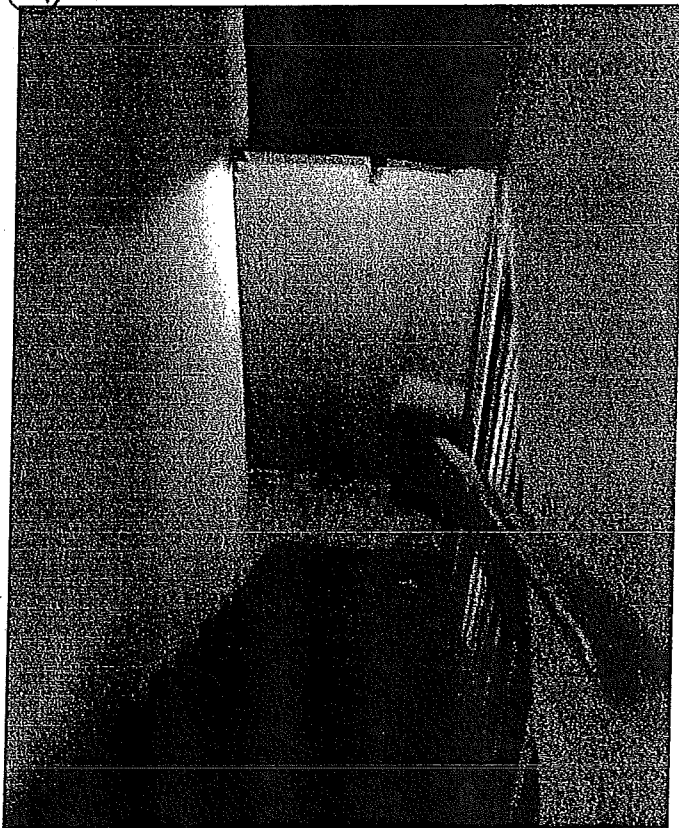
STUDIO BATHROOM

13



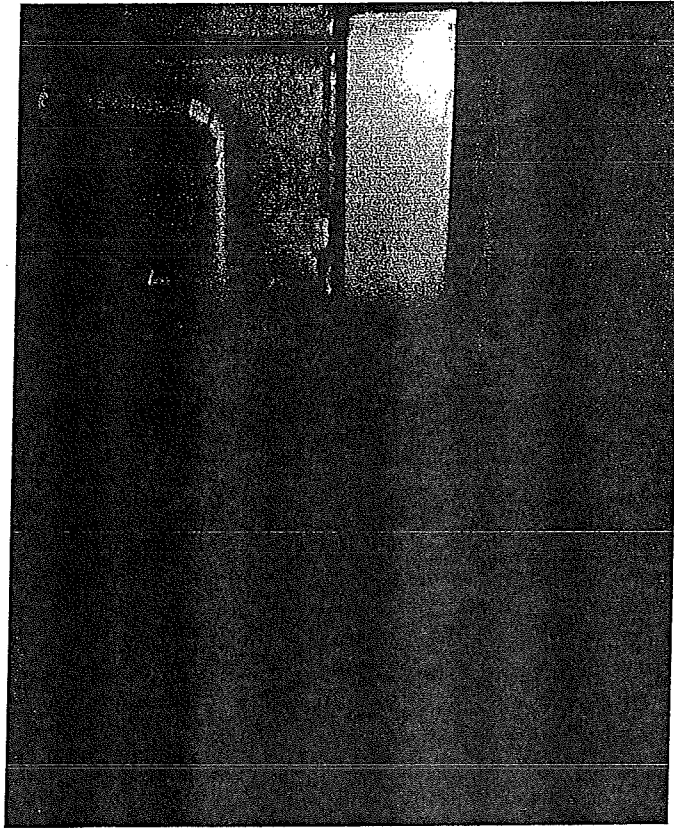
STUDIO KITCHEN

14



BACK STAIR TO BASEMENT/
UTILITY

15



DOWNSTAIRS TURN
LEFT FURNACE

Two BED (DOWNSTAIRS)
+ UTILITY

63 1

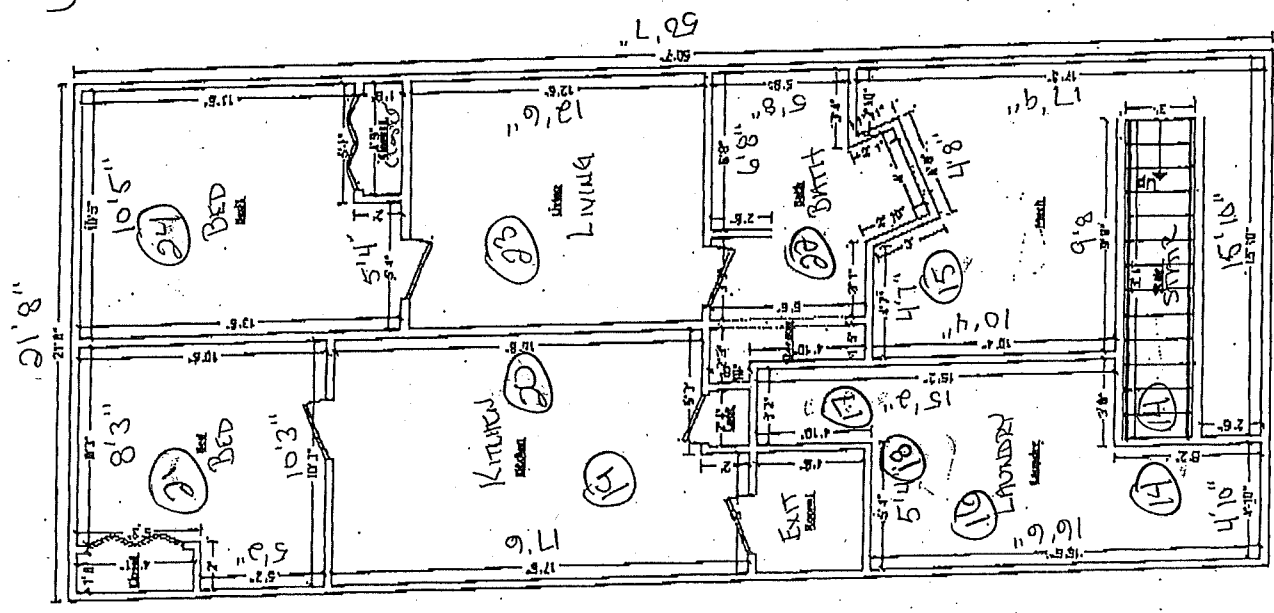
Garden Level

Page: 10

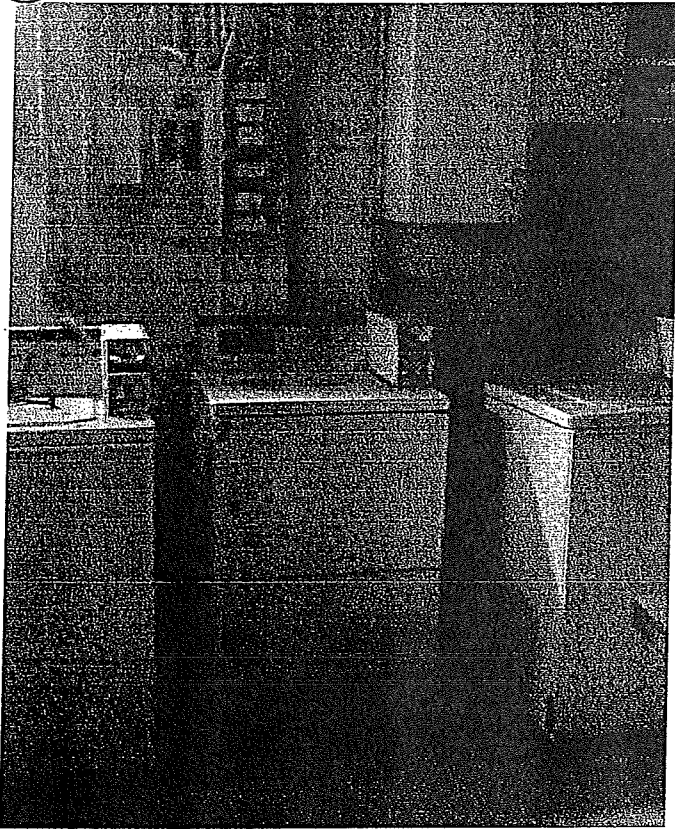
11/4/2009

Garden Level

BREND-909066-RC

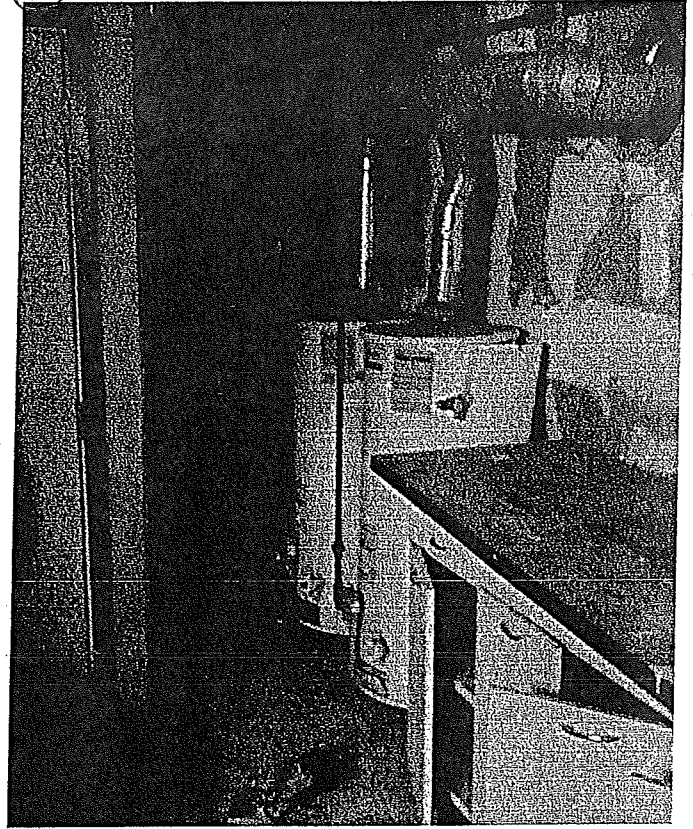


16



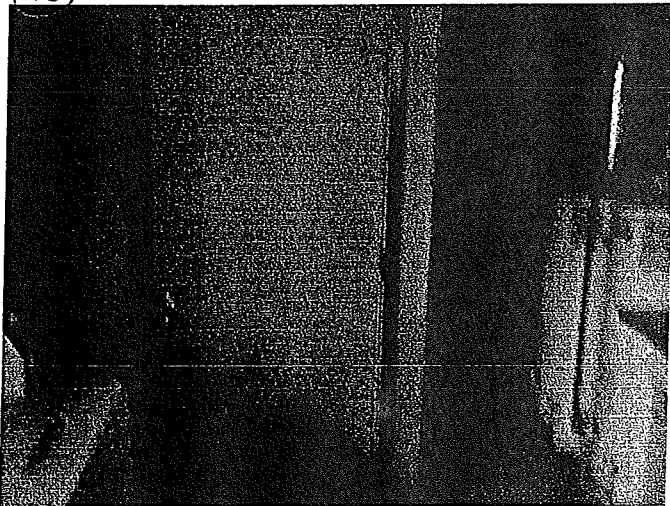
BASEMENT UTILITY LAUNDRY

17



BASEMENT HOT WATER
HEATERS.

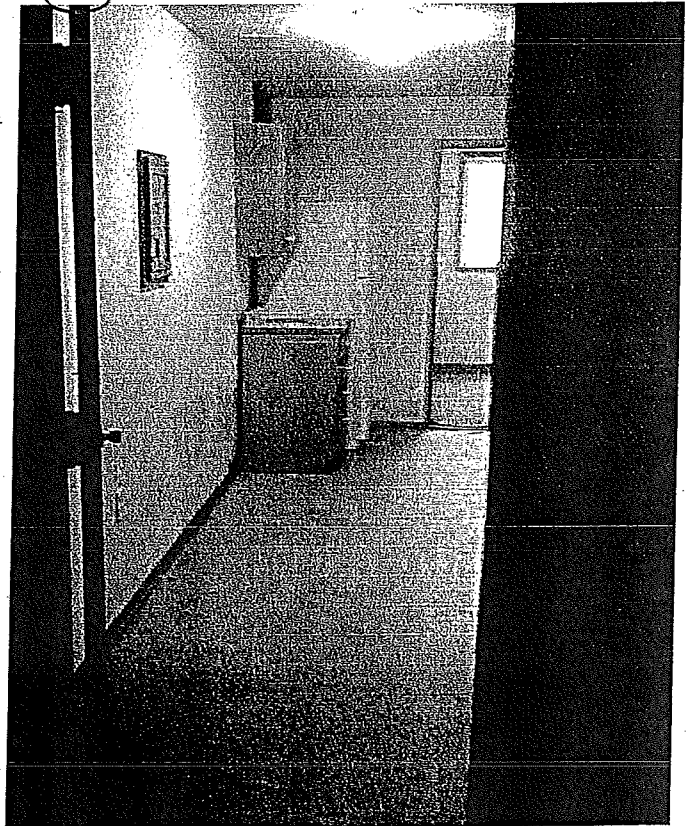
18



DOOR TO OUTSIDE STAIR
(TURN LEFT)

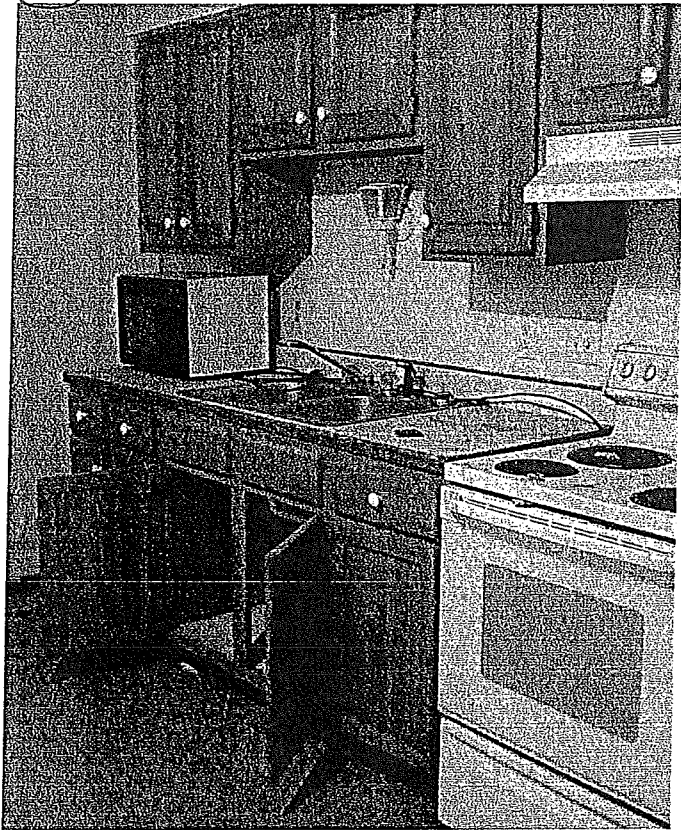
DOOR TO 2-BED
(STRAIGHT)

19



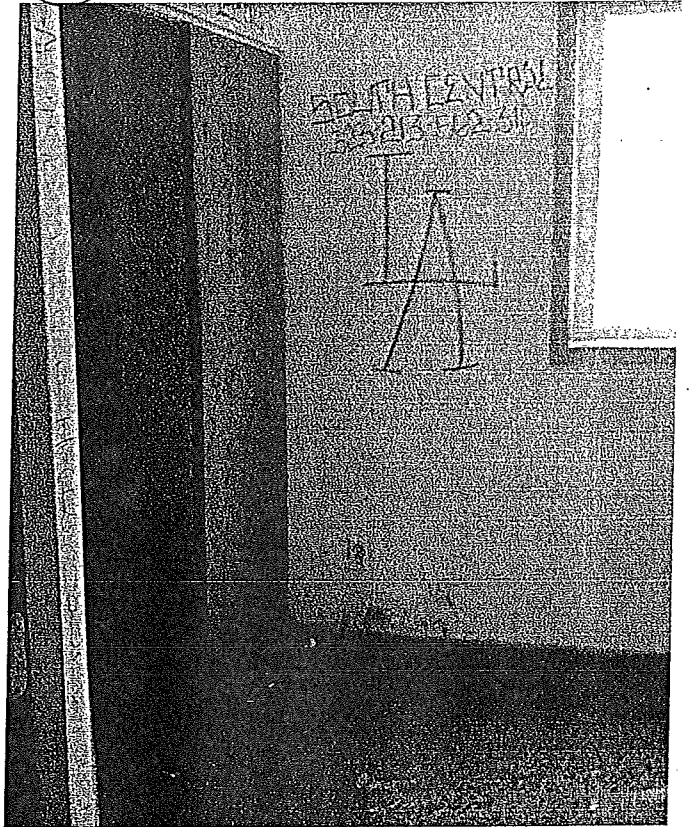
KITCHEN TWO BED
FROM ENTRY

20



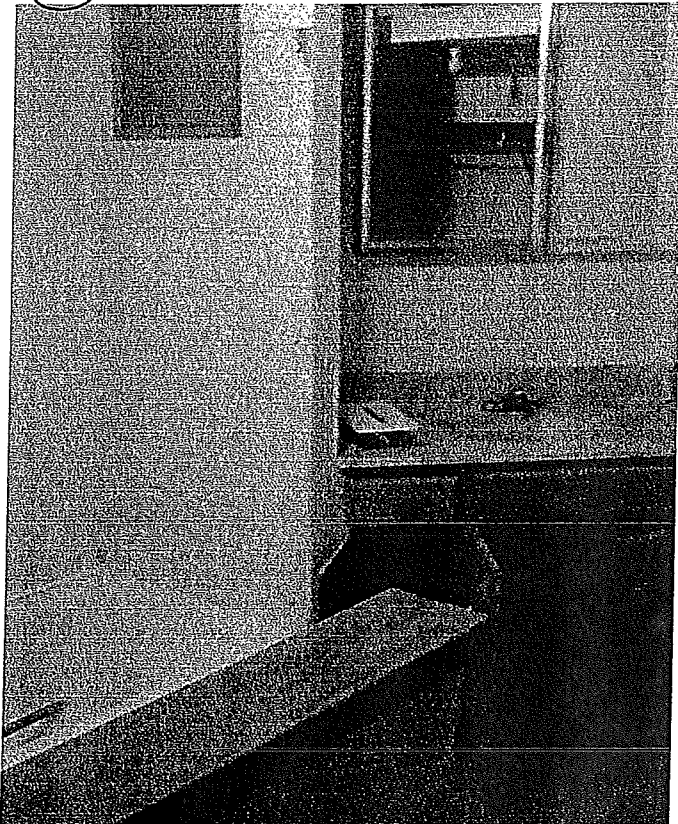
2-BED KITCHEN

21



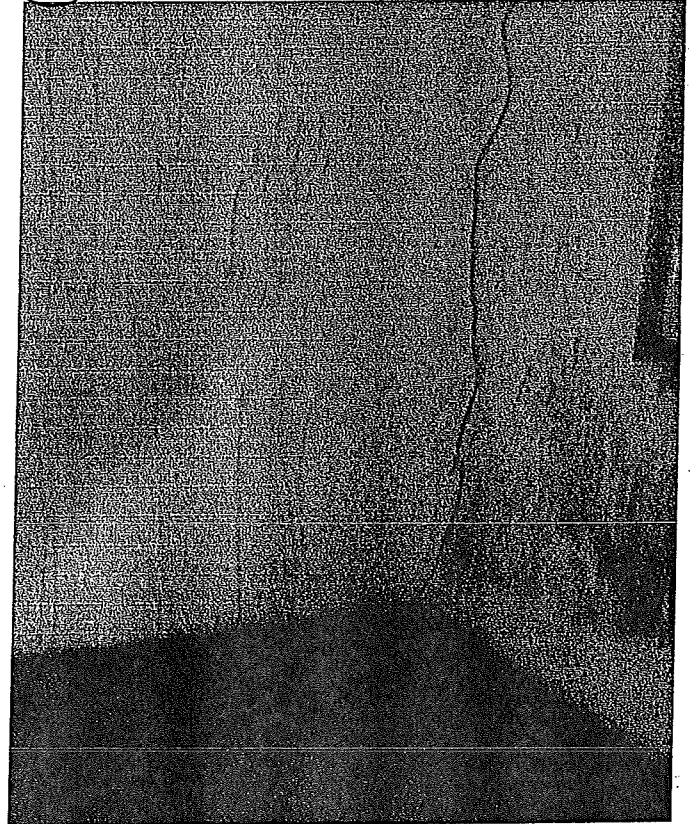
2-BED BEDROOM

22



2-BED BATHROOM

23

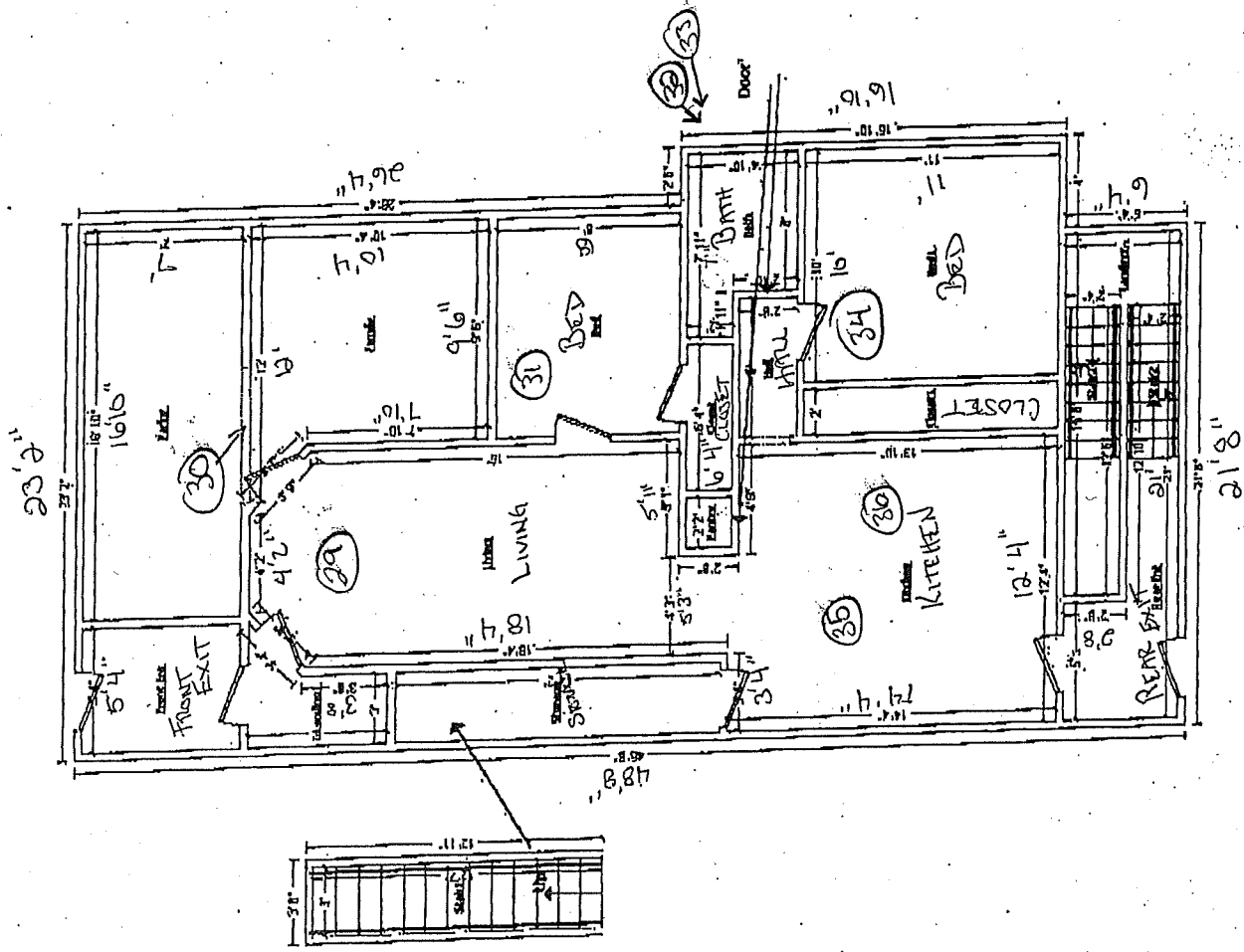


BIG
EYES
WIND

2-BED LIVING

MAIN LEVEL

Main Level



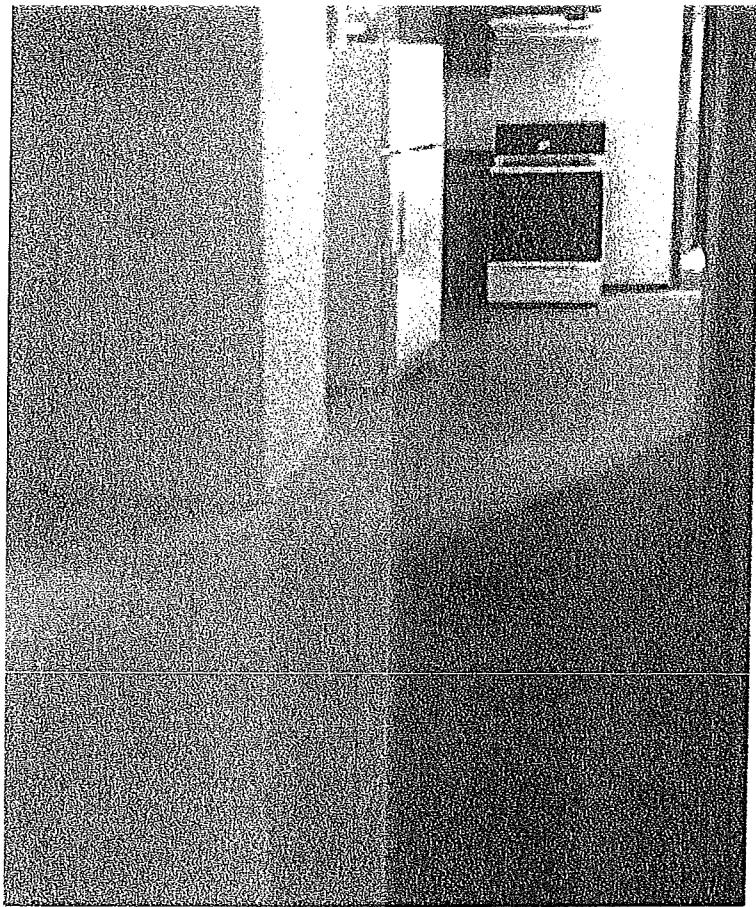
North Arrow

Main Level

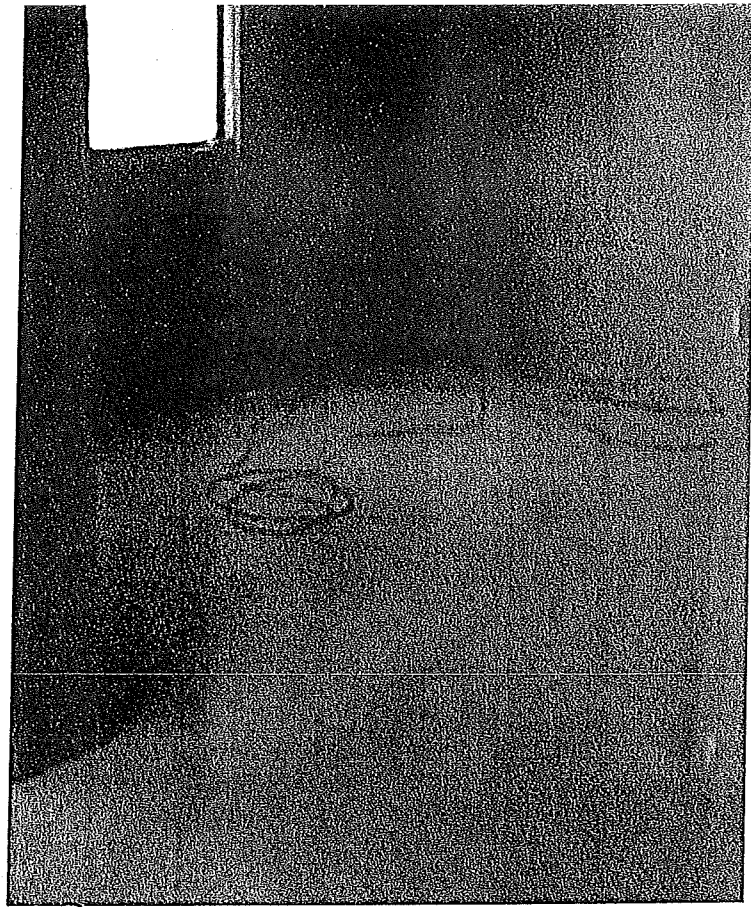
BREND-909066-RC

11/4/2009

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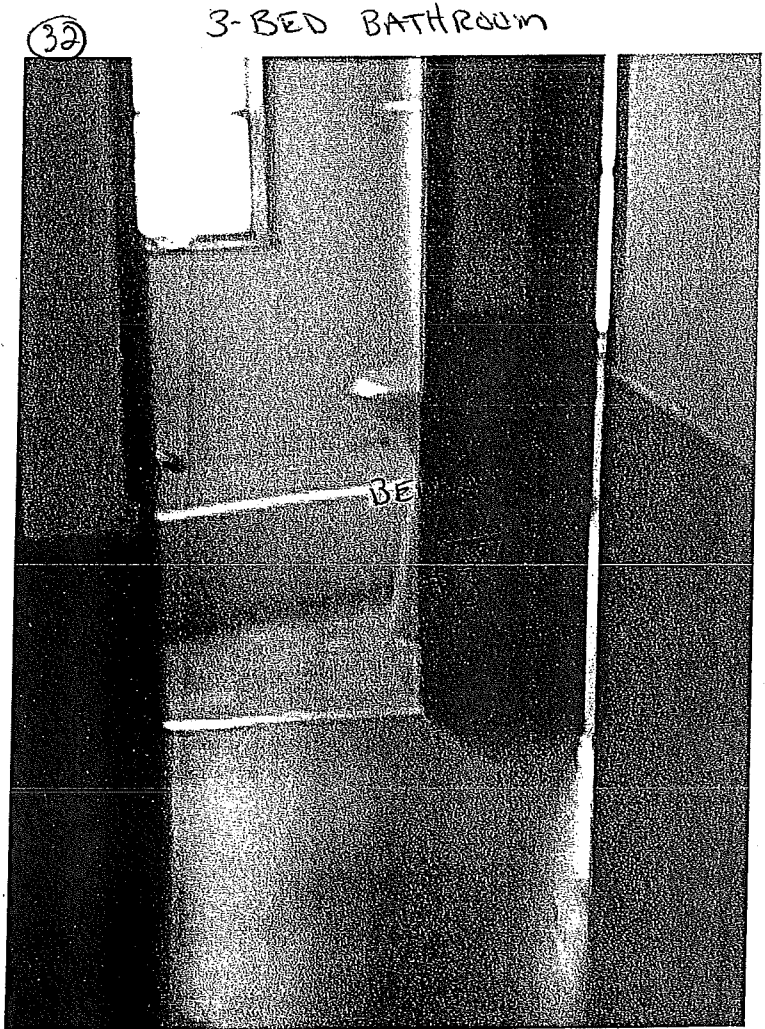
3-BED LIVING TO KITCHEN



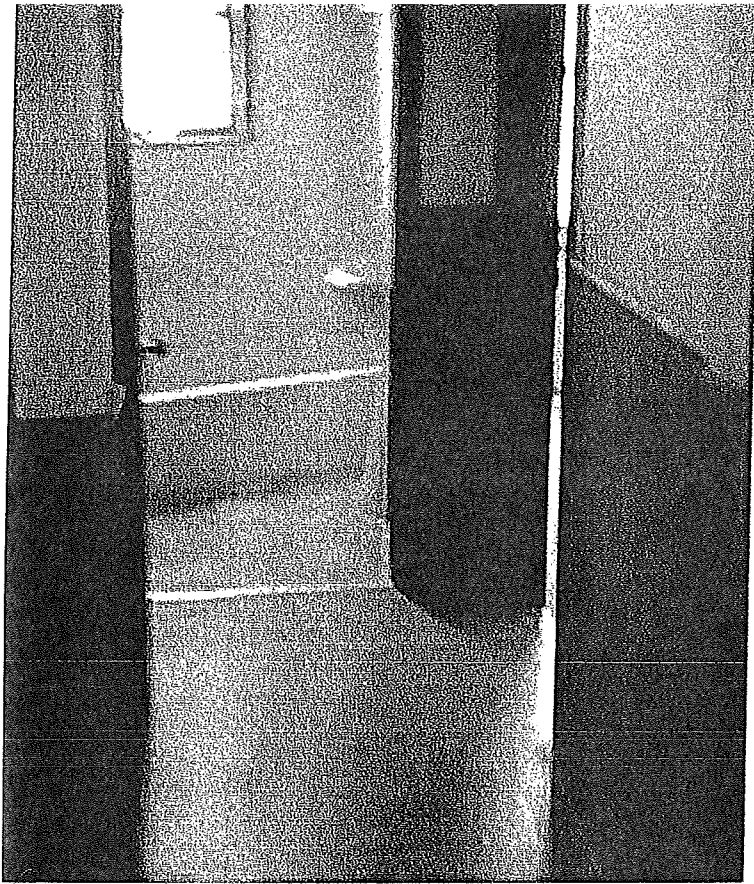
(30) 3-BED BEDROOM #1



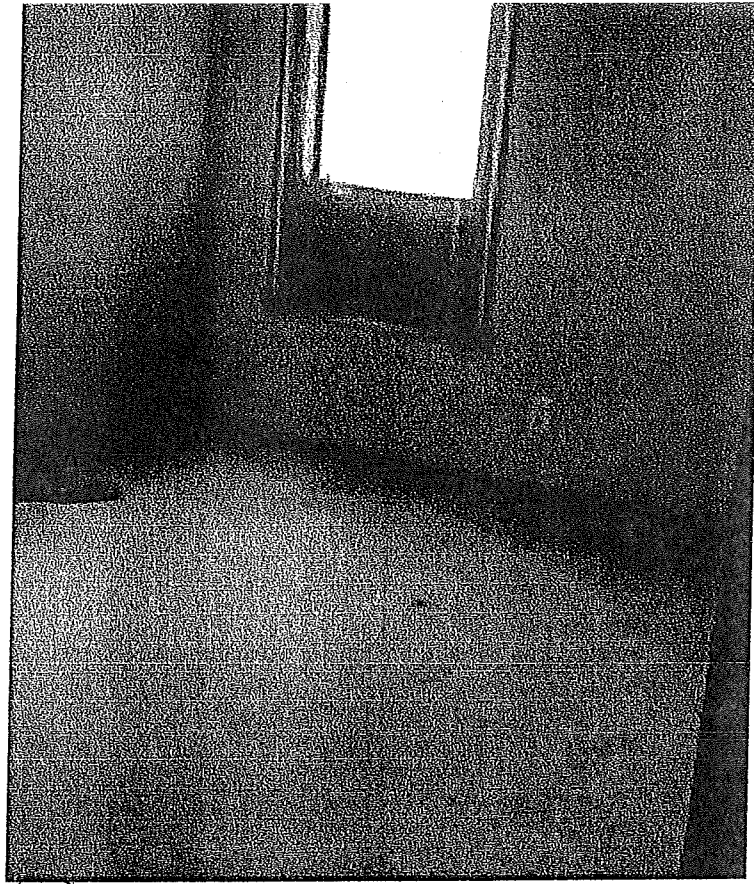
3-BED BEDROOM #2



(32) 3-BED BATHROOM

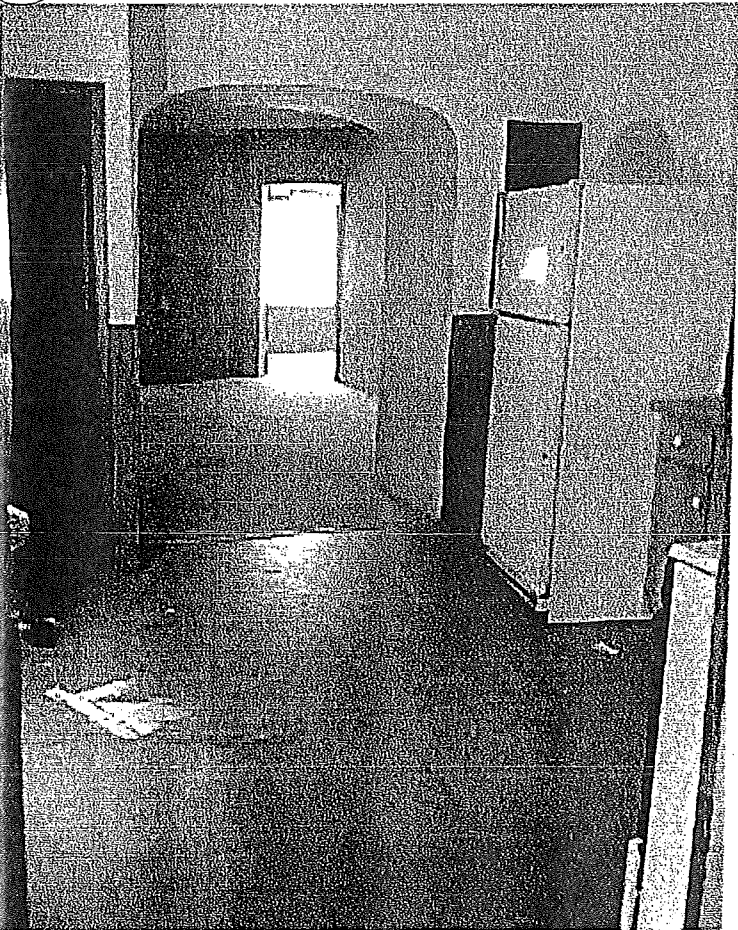


(33) 3-BEDROOM BATH

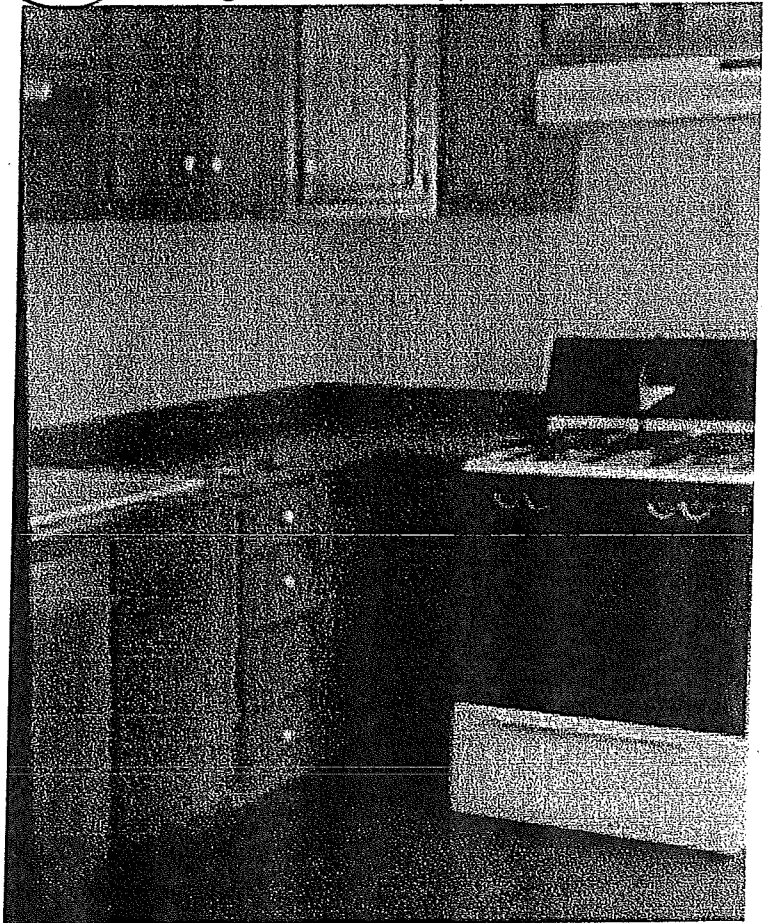


(34) 3-BED BEDROOM #3

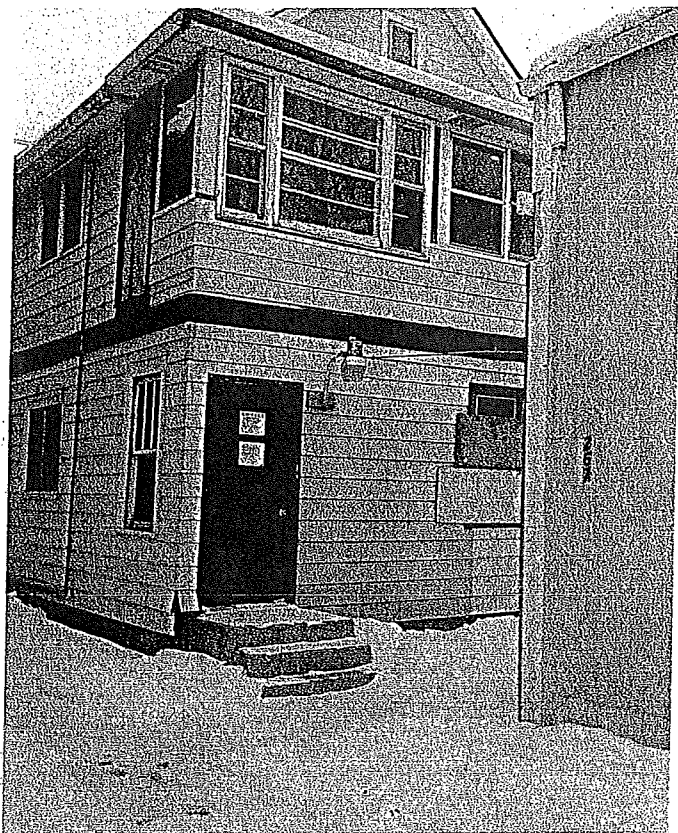
(35) 3-BED KITCHEN TO LIVING



(36) 3-BED KITCHEN

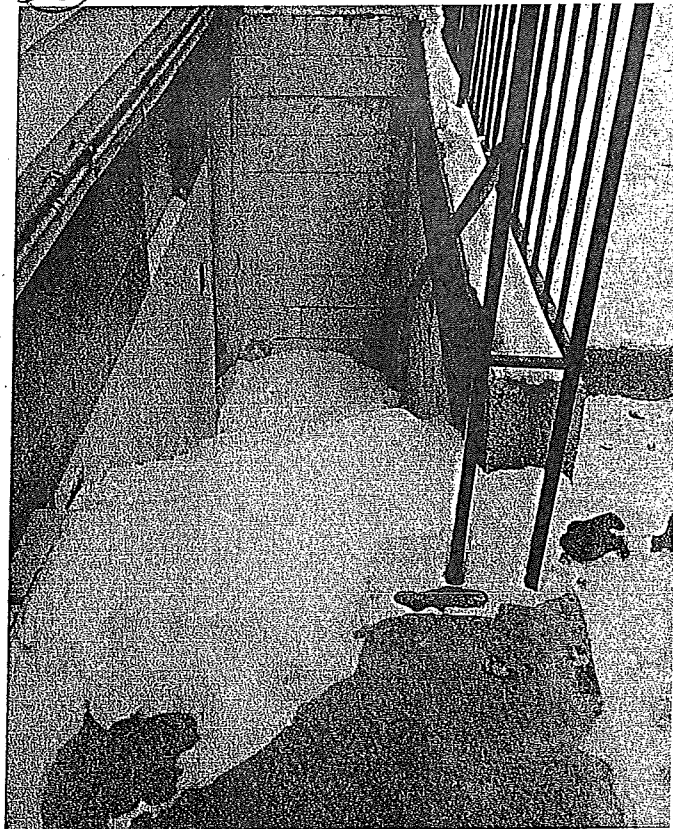


25



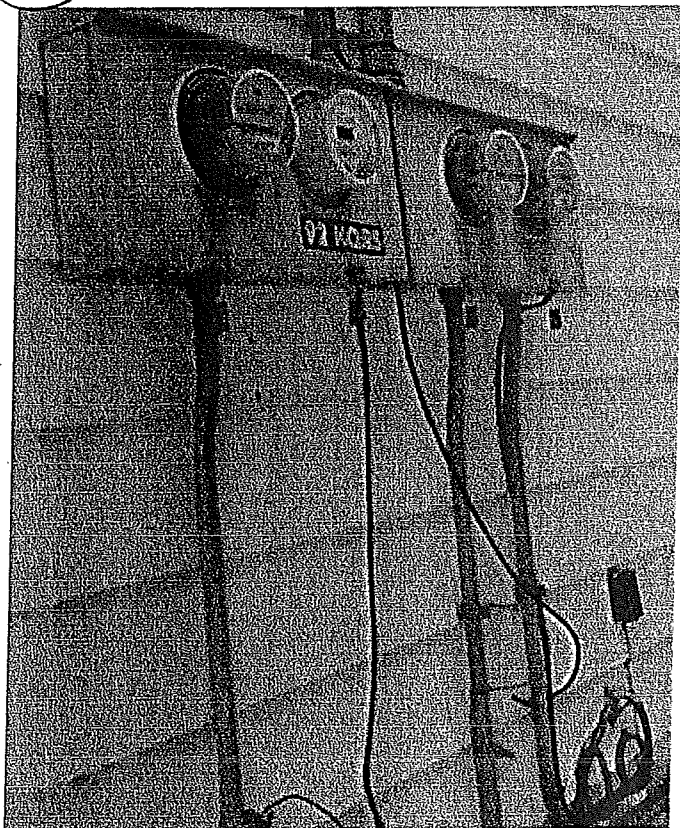
BACK OF BUILDING

26



OUTSIDE STAIR TO
2-BED

27

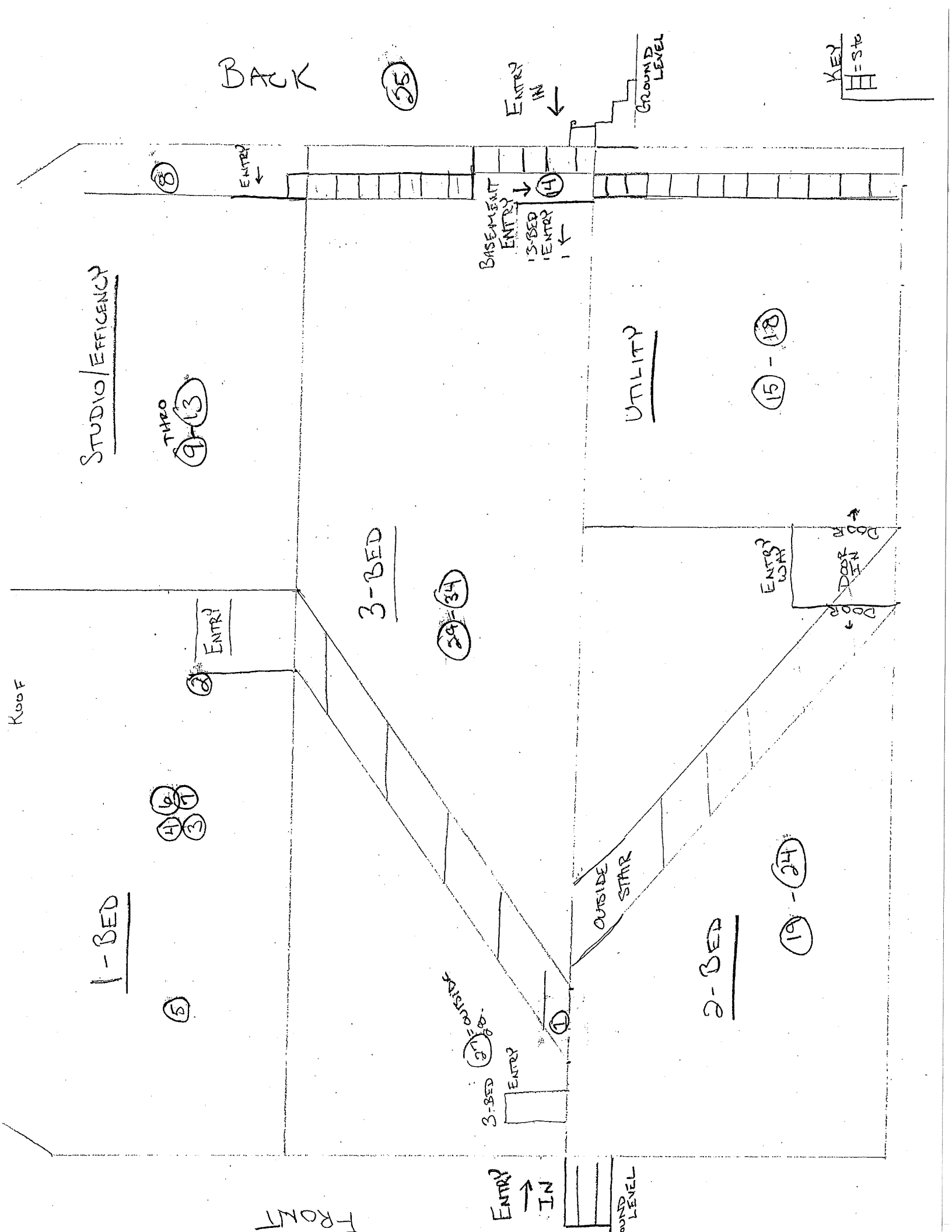


OUTSIDE 4- ELECTRICAL
BOXES

28



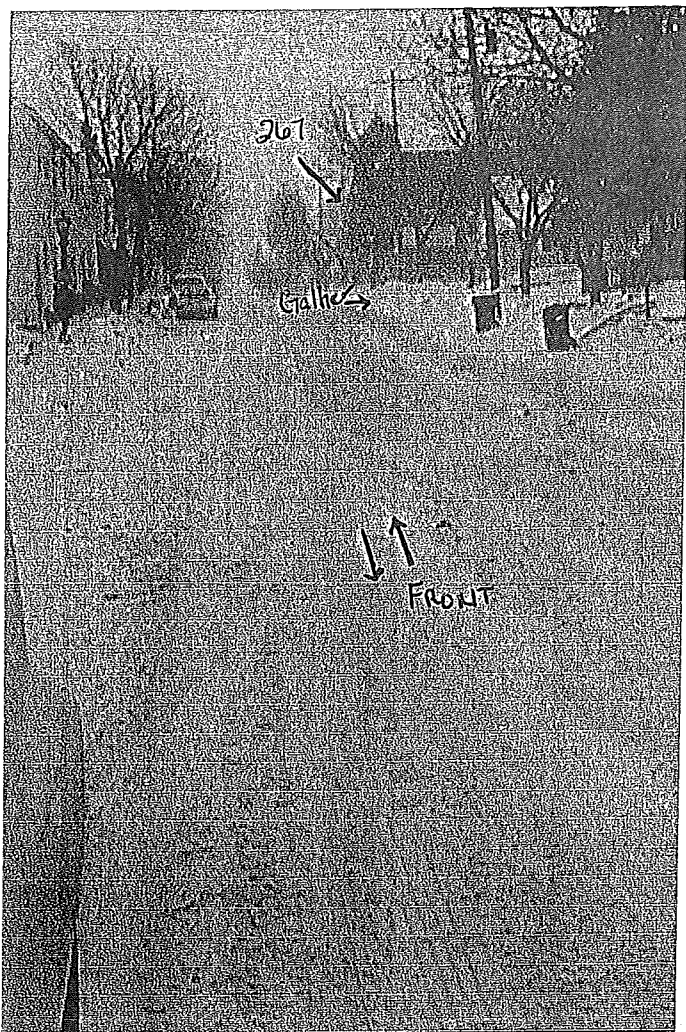
4- MAIL BOXES



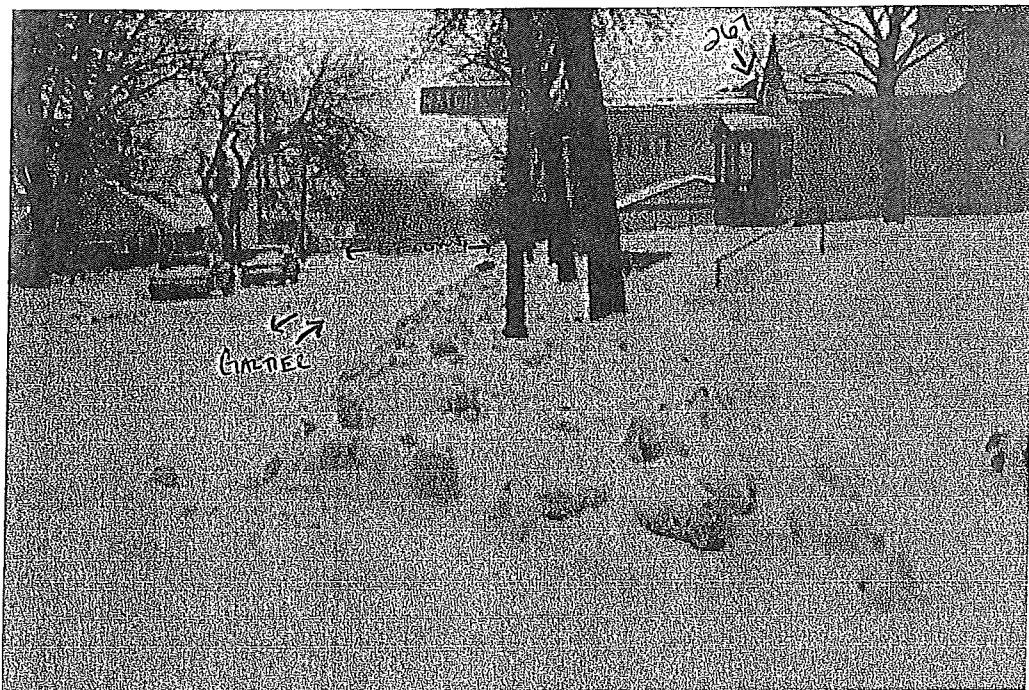


OPEN PARKING

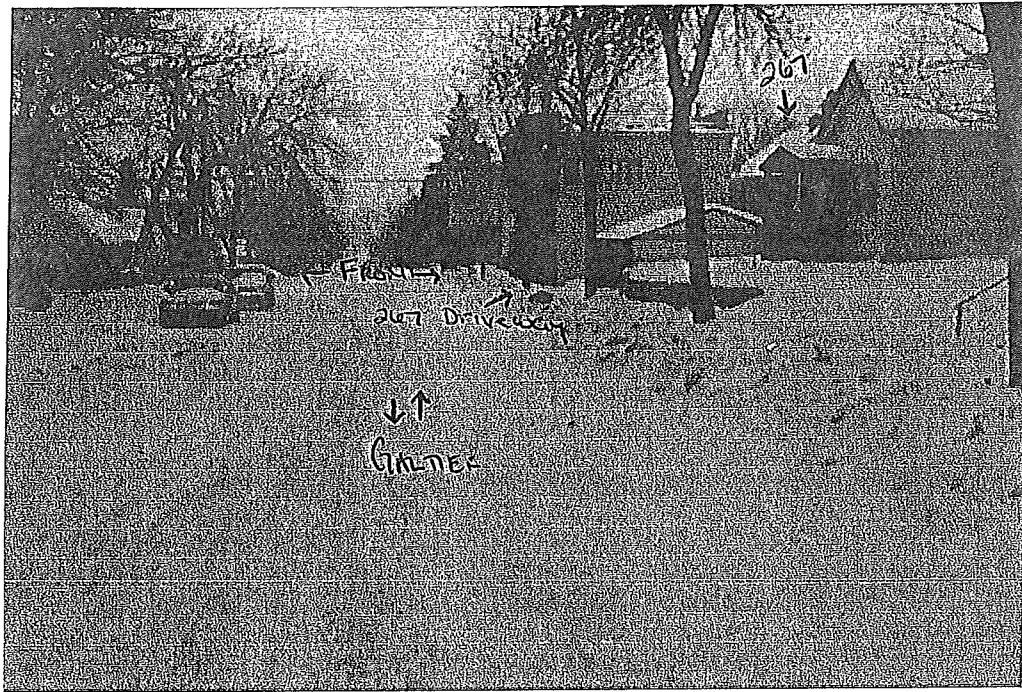
MOST ALL SURROUNDING PROPERTIES HAVE
OFF STREET PARKING.



OPEN PARKING



OPEN PARKING



OPEN PARKING.

MINUTES OF THE ZONING COMMITTEE
Tuesday, December 29, 2009 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Commers, Donnelly-Cohen, Gordon, Johnson, Kramer, Margulies and Morton

EXCUSED: Goodlow, Gordon, Margulies

STAFF: Sarah Zorn, Samantha Langer, Patricia James, and Peter Warner

The meeting was chaired by Commissioner Morton.

Greg Brendemuehl - 09-424-870 - Re-establishment of legal nonconforming use as a 4-plex, 267 Front Ave, between Matilda & Galtier

Sarah Zorn presented the staff report with a recommendation of denial for the re-establishment of legal nonconforming use as a 4-plex, but recommended approval of re-establishing legal nonconforming use as a duplex with conditions. Sarah Zorn also stated District 6 recommended denial, and recommended a single family use, but finds a duplex acceptable. There were 0 letters in support, and 0 letters in opposition.

Greg Brendemuehl, the applicant, stated that he will be living at the property. He contacted all the neighbors and he had complete support from everyone. Mr. Brendemuehl explained that the property currently has four apartments and he explained the layout of each unit. He stated while looking to purchase a property he was very cautious to purchase a property he could handle financially and also afford to fix or update if needed. He stated records indicate that a Certificate of Occupancy was approved in 2004 for 4 units. It was supposed to be renewed in 2007 and the owner wasn't able to fix the deficiencies that the City cited. He stated that he is financially able to do so. Mr. Brendemuehl stated he disagreed with Finding 3(2) of the staff report and explained that the expense to turn the property into a duplex would cause definite financial hardship. He also stated he doesn't believe that the parking would be detrimental to the area. He addressed the issues raised by District 6, explaining that he believes the yard size is appropriate, he will not add any other units, and he will be able to fix the deficiencies listed by the City.

At the inquiry of the Commissioners, Mr. Brendemuehl, stated that the garage would be used for personal uses and storage, rather than parking due to the lack of legal access.

Laurie Brendemuehl, 26051 Eaton Avenue, Saint Paul, spoke in support. Ms. Brendemuehl explained that she is Greg's mother and she saw how much research went into purchasing this property. She explained that their family is very supportive and willing to help him.

Kerry Antrim, District 6 Planning Council, spoke in opposition. She referred to a letter submitted by the Planning Council stating that they are opposed and offered to take any questions regarding the letter. She also mentioned that the decision was reached via email and it was unanimous.

Upon questions of the Commissioners, Ms. Antrim, stated that if the applicant isn't able to change the property to a duplex or single family home, she believes the house will be left empty, deteriorate and need to be torn down. She explained that District 6 does follow specific criteria when making these decisions and the 71 deficiencies listed by the City was taken into consideration. She also explained that the concern of land pollution was due to the previous owner doing car repair.

Upon further questions of the Commissioners, Mr. Brendemuehl stated he is in contract to purchase the property and he cannot get out of the purchase agreement. He also explained that he understands that there is no legal easement into the garage and he has signed papers with his realtor regarding this issue.

He stated he doesn't have vehicle access to the garage, but he is able to access the garage on foot without crossing the adjacent property. He stated he will use the garage for storage and other personal uses.

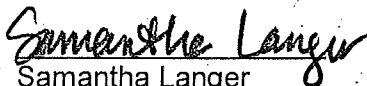
The public hearing was closed.

Commissioner George Johnson moved approval of the recommendation of denial for the re-establishment of legal nonconforming use as a 4-plex, but recommends approval of re-establishing legal nonconforming use as a duplex with conditions.. Commissioner Kathi Donnelly-Cohen seconded the motion.


The motion passed by a vote of 4-1-0.

Adopted Yeas - 4 Nays - 1 (Richard Kramer) Abstained - 0


Drafted by:


Samantha Langer
Recording Secretary

Submitted by:


Sarah Zorn
Zoning Section

Approved by:


Gladys Morton
Chair

ZONING COMMITTEE STAFF REPORT

- | | |
|--|---|
| 1. FILE NAME: Greg Brendemuehl | FILE # 09-424-870 |
| 2. APPLICANT: Greg Brendemuehl | HEARING DATE: December 29, 2009 |
| 3. TYPE OF APPLICATION: Nonconforming Use Permit-Reestablishment | |
| 4. LOCATION: 267 Front Ave, between Matilda & Galtier | |
| 5. PIN & LEGAL DESCRIPTION: 252923130208; AUERBACH & HAND'S ADDITION TO THE CITY OF ST. PAUL LOT 5 BLK 47 | |
| 6. PLANNING DISTRICT: 6 | |
| 7. ZONING CODE REFERENCE: §62.109(d) | PRESENT ZONING: B2 |
| 8. STAFF REPORT DATE: December 21, 2009 | BY: Sarah Zorn |
| 9. DATE RECEIVED: December 3, 2009 | 60-DAY DEADLINE FOR ACTION: February 1, 2010 |
-

- A. **PURPOSE:** Re-establishment of legal nonconforming use as a 4-plex
- B. **PARCEL SIZE:** 40 ft. (Front) X 130 ft. = 5,200 sq. ft.
- C. **EXISTING LAND USE:** Vacant residential structure and commercial warehouse/garage.
- D. **SURROUNDING LAND USE:**
North: Single and two-family residential (RT1)
East: Vacant commercial (B2)
South: Single and two-family residential (RT1)
West: Single and two-family residential (RT1)
- E. **ZONING CODE CITATION:** §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.
- F. **HISTORY/DISCUSSION:** In 1982, when the residential structure was being moved to the property, there was a variance application for a reduced setback (#9144). The setback issue was resolved and the application was later withdrawn. A site plan was also submitted at this time (File #675), but was abandoned by the applicant.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 6 Council recommends a single family use for this property, but finds a duplex acceptable.
- H. **FINDINGS:**

1. The structure was moved to this location in 1982 from 364 Front Avenue. At that time, this lot and the commercial/residential lot to the east were combined as a single parcel. The stated intent of moving the building was to expand the contracting business into the first floor of the structure and have two units on the second level. The B2 district allows for residential units on the second floor; a residential use is permitted on the first floor as long as it occupies less than 50% of the floor area and 50% or more is used for a commercial use. The business expansion never took place, although two units may have been constructed on the upper floor. Certificate of occupancy records from 1996 indicate that the property was being used as an illegal duplex. City and County records indicate that there were five units on the property in 2001, when the lots were still combined; at least two of those units were on the upper floor of the commercial building. The parcels were later split, likely in 2002 or 2003. Records indicate that a Certificate of Occupancy was approved in 2004 for a four unit building at 267 Front. The Certificate of Occupancy was renewed in 2007 and approved with deficiencies; the deficiencies were never corrected and the C of O was revoked that same year. Although records do not indicate that a subsequent C of O was issued, a revocation is listed in 2009. A team inspection took place in June of 2009 and numerous deficiencies were cited.

The existing large commercial garage structure at 267 Front was in place, and used for the contracting business, prior to the home being moved onto the combined lot in 1982. Because

there is no alley on this block, access to the garage is from Galtier and requires crossing the adjacent property to the east. This arrangement was acceptable when the lots were combined, and the combined site allowed for parking for both the business and residences; however, following the lot split, the structure at 267 Front has no legal access to parking, and there is no longer legal access to the commercial warehouse/garage structure behind the residential structure at 267 Front. The lot split was recorded by Ramsey County without review or city approval for conformance with city regulations.

2. The property has been unoccupied since 2007, when the Certificate of Occupancy for four units was revoked. The building was placed on the vacant building list in July of 2008. The applicant is seeking to re-establish the use as a four unit building, which is legally nonconforming in a B2 district.
3. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding may be met. While the former residential structure was originally constructed as a duplex according to a report done on the structure prior to it being moved to this site for a conforming purpose in 1982, there does not now appear to be a market for a conforming use of the building. On the other hand, the large commercial warehouse/garage does not fit residential use of the site and has no legal access.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is not met for the use as a four-plex, but may be met if the number of units were reduced to two, which appears to be the building's use when it was moved onto the site. The C of O for a four-plex in 2004 does not conform with zoning regulations then or now.
 - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is not met for a four-plex, but may be met for a duplex. It appears that the house was originally constructed as a duplex, and its deconversion to the original number of units would be more appropriate to the existing character of the neighborhood and consistent with the properties adjoining it to the west and north. Because the property has no legal access to parking, it is more consistent with public safety and welfare for residents from two units to park on-street than for residents from four units to park on the street.
 - (4) *The proposed use is consistent with the comprehensive plan.* This finding may be met. The Housing Policy Plan supports production of rental housing (Policy 5.3) and the Land Use Plan supports a range of housing types (Objective 5.3). However, the District 6 Plan indicates support for an increase in owner-occupied housing in this area.
 - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on December 9, 2009: 14 parcels eligible; 10 parcels required; 11 parcels signed.

The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit. This requirement is met.

- I. **STAFF RECOMMENDATION:** Based on the findings above, staff recommends denial of re-establishing legal nonconforming use of the building as a four-plex, but recommends approval

of re-establishing legal nonconforming use as a duplex, subject to the condition that the applicant receives a certificate of occupancy for a duplex.



NONCONFORMING USE PERMIT APPLICATION
Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning Office Use Only

File #:

Fee:

Tentative Hearing Date:

12/29-09

#252923.130208

APPLICANT

Name

GREG BRENDENMUEHL

Address

26051 EATON AVE

City

FARIBAULT St. MN Zip 55021

Daytime Phone

507-412-9665

Name of Owner (if different)

CAL BRENDENMUEHL

Contact Person (if different)

Phone

PROPERTY LOCATION

Address/Location

267 FRONT AVE. ST. PAUL MN 55117

Legal Description

AUERBACH E HANDS ADDITION TO LOT 4/47

Current Zoning

RESIDENTIAL-MULTI-FAMILY

(attach additional sheet if necessary)

Z-B2

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for:
- ☐ Change from one nonconforming use to another (para. c)
 - ☒ Re-establishment of a nonconforming use vacant for more than one year (para. e)
 - ☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
 - ☐ Enlargement of a nonconforming use (para. d)

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

Present/Past Use

FOUR- PLEX

Proposed Use

FOUR- PLEX

Attach additional sheets if necessary

Attachments as required

☐ Site Plan

☐ Consent Petition

☐ Affidavit

Applicant's Signature

Greg Brendenmuhl

Date

11-9-09

City Agent

Greg Brendenmuhl

12-3-09

12/3/09

11-19-09

12-3-09
CK 349
650.00

CK 349
650.00

267 Front Ave.
St. Paul MN 55117
Greg Brendemuehl

Statement:

Hello, my name is Greg Brendemuehl. This letter is regarding my application for a non-conforming permit, 267 Front Avenue in Saint Paul 55117. I have been looking for a place to live over the summer and chose this house in St. Paul. It is a place that I can fix up to make my own. Unfortunately, it has been vacant for three years and after 365 days it reverts back to a single family dwelling. It was built as a four-plex, and in order to complete the sale as a four-plex, a non-conforming permit needs to be in place. There is code work necessary to meet Saint Paul regulations, but the property is currently structured to provide four apartments.

When speaking with all neighbors, they were excited to have someone in the neighborhood to invest a good, safe, clean effort. None of whom I spoke with were concerned about it being four-plex. I feel that my residency and ownership will benefit them and the city, as well as provide people a comfortable place to stay in a needing time.

I believe with my hard work I can provide a great location for both myself and others to live. I have included all the paperwork you need in order to make a decision towards granting the permit. I look forward to your cooperation and permitting a great housing option for the city of St Paul.

Please contact me if you have any questions or concerns

Sincerely,
Greg Brendemuehl
507-412- 9665

1). The expense intailed in meeting code for single family is estimated at 90-100 thousand dollars.

Currently in the form of a four plex.

2). This building will be an excellent location to house the people of St Paul.

3). This permit will allow for the proper fixing of a property into a clean and approved manner for the nieghborhood. surrounding people are in support of my efforts.

Documentation is included.

Greg Brendemuehl
507-412-9665

PROMOTIONS



CREDIT SCORE
Click Here - \$0



TC Hail Damage?
CALL GUARDIAN

© 2008 Comcast Cable
Communications

UPDATED: Privacy
Policy

UPDATED: Terms of
Service

Contact Us Add Comcast
Services

Tell Us What You
Think

1.) Structures residential

4 units

Now economic to convert to commercial

2.) proposed is same as previous

equally

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of GREG BRENDENMUEHL,
(name of applicant)

to establish a 4-PLEX,
(proposed use)

located at 267 FRONT AVE. ST. PAUL MN.,
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

	ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
①	240 Hatch Ave	Greg Bauer Jr	Greg Bauer Jr	10/28/09
	964 Galtier St	CANDICE RUTH	C Ruth	10/28/09
	976 GALTIER ST	Robert Trusty	Robert Trusty	10/28/09
②	272 Front Ave	FRANCIS GALTIER	Francis Galtier	10/28/09
③	959 GALTIER ST.	Amir Benaz	Amir Benaz	10/28/09
④	975 Galtier St	Patty Bearden	Patty Bearden	11/17/09
⑤	276 Hatch	Zsuzsanna	Zsuzsanna	11/18/09
⑥	976 Milla	Suzanne	Suzanne	11/18/09
⑦	276 Front	Son Der	Son Der	11/18/09
⑧	271 Front	LOREL HOWELL	L. Howell	11/18/09
⑨	277 FRONT	MIKE VIELING	Mike Vielings	11/18/09
⑩	267 FRONT			

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of WEG BRENDENUEHL
(name of applicant)

to establish a 4- PLEX
(proposed use)

located at 267 FRONT AVE. ST. PAUL MN.
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
260 Hatch Ave	Gary Bauer Jr	D. Regis 4/19/09	10/26/09
964 Galtier St	Christine Roth	C. Roth	10/28/09
976 Galtier St	Robert Trust	Robert Trust	10/28/09
972 Front Ave	FRANCIS CORCORAN	Francis Corcoran	10/28/09
959 GALTIER ST.	Ann Penaz	Ann Penaz	10/28/09
975 Galtier St	Patty Bearden	Patty Bearden	11/17/09
⑩ 267 FRONT AVE	Ann Walter	Ann Walter	11/25/09
⑪ 283 Front Ave	E.L. Management	E.L. Management	12/1/09

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

9/08

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL USE PERMIT OR A NONCONFORMING USE PERMIT

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

The petitioner, Greg Brendemuehl, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

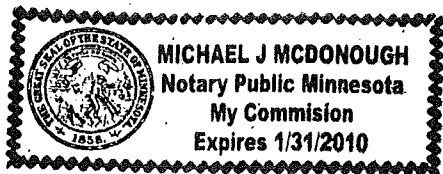
Greg Brendemuehl
NAME

26051 Eaton Ave. Faribault
ADDRESS

507-412-9665
TELEPHONE NUMBER

Subscribed and sworn to before me this

1 day of DECEMBER, 2009



NOTARY PUBLIC

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 11-19-09

DATE PETITION RESUBMITTED: 12-3-09

DATE OFFICIALLY RECEIVED: _____

DATE OFFICIALLY RECEIVED: _____

PARCELS ELIGIBLE: 14

PARCELS ELIGIBLE: 14

PARCELS REQUIRED: 10

PARCELS REQUIRED: 10

PARCELS SIGNED: 9

PARCELS SIGNED: 11

CHECKED BY: Paul Dubruel

DATE: 11-23-09

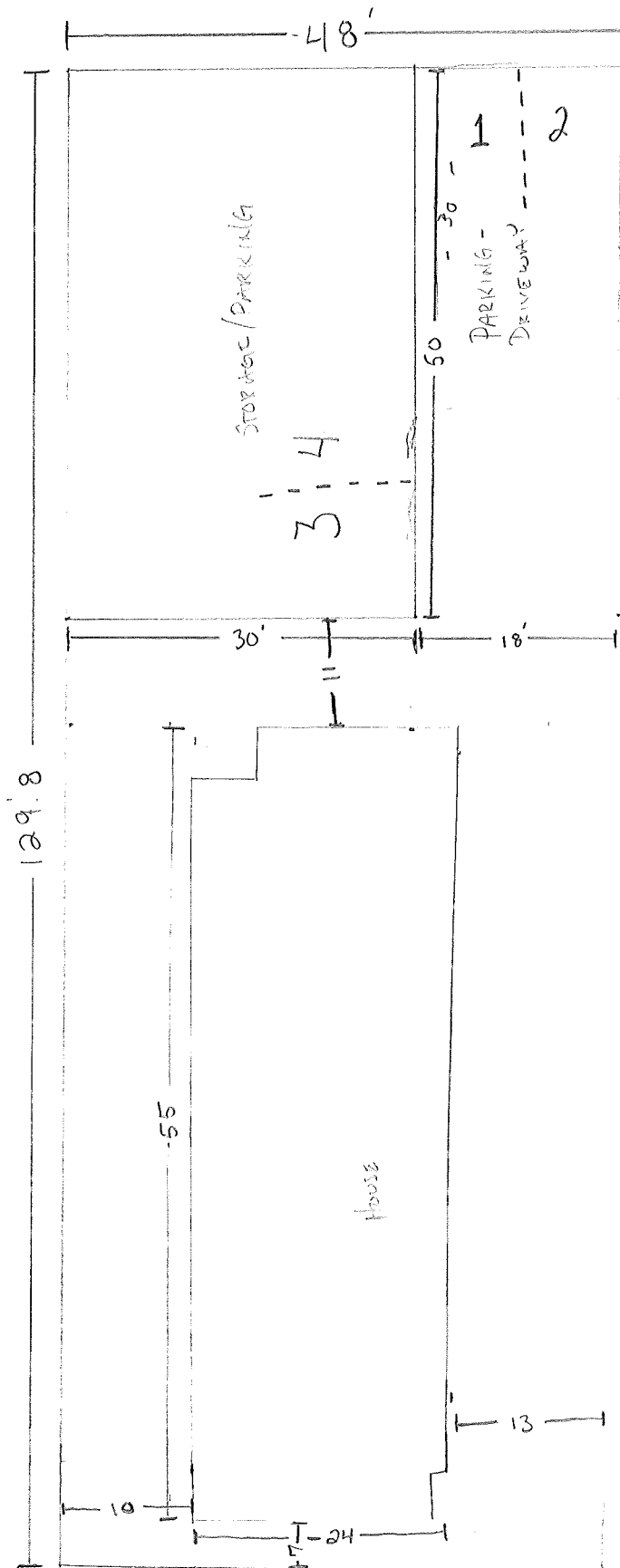
Paul Dubruel

12-9-09

AUERBACH & HANDS ADDITION TO LOT 4/47

129'85" X 48'

1" = 15'



☐ = GARAGE
☒ = ON STREET PARKING

CHURCH

RENTAL ☐

BUSINESS ☐

MATILDA

RENTAL ☐

DUPLEX ☒

DUPLEX ☒

4-DUPLEX

DUPLEX ☐

GALTIER

PARKING

DUPLEX ☐

FRONT

RENTAL ☐

DUPLEX ☐

DUPLEX ☒

BUSINESS/
DUPLEX

DUPLEX ☐

DUPLEX ☒

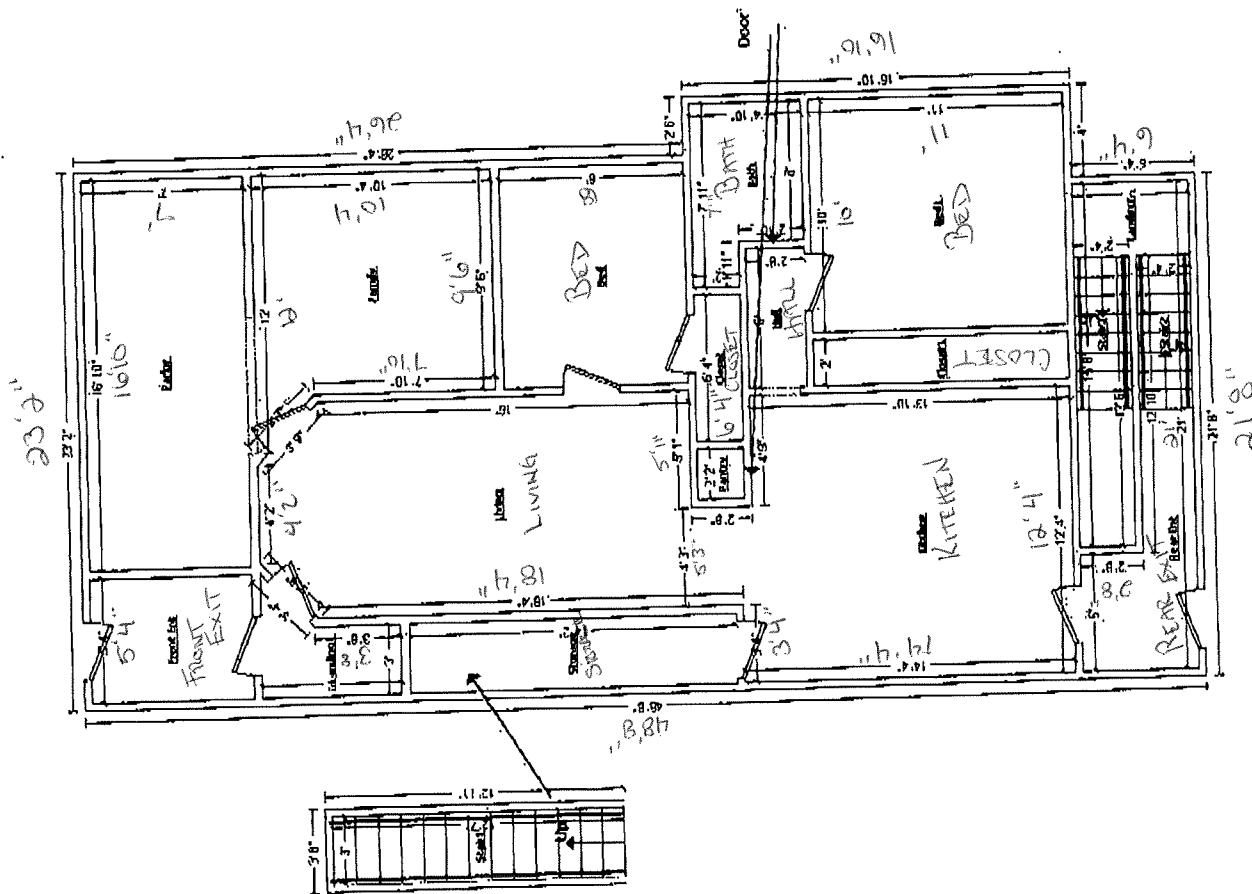
DUPLEX ☐

FORECLOSURE ☒

DUPLEX ☒ DUPLEX ☒

MAIN LEVEL

Main Level



Main Level

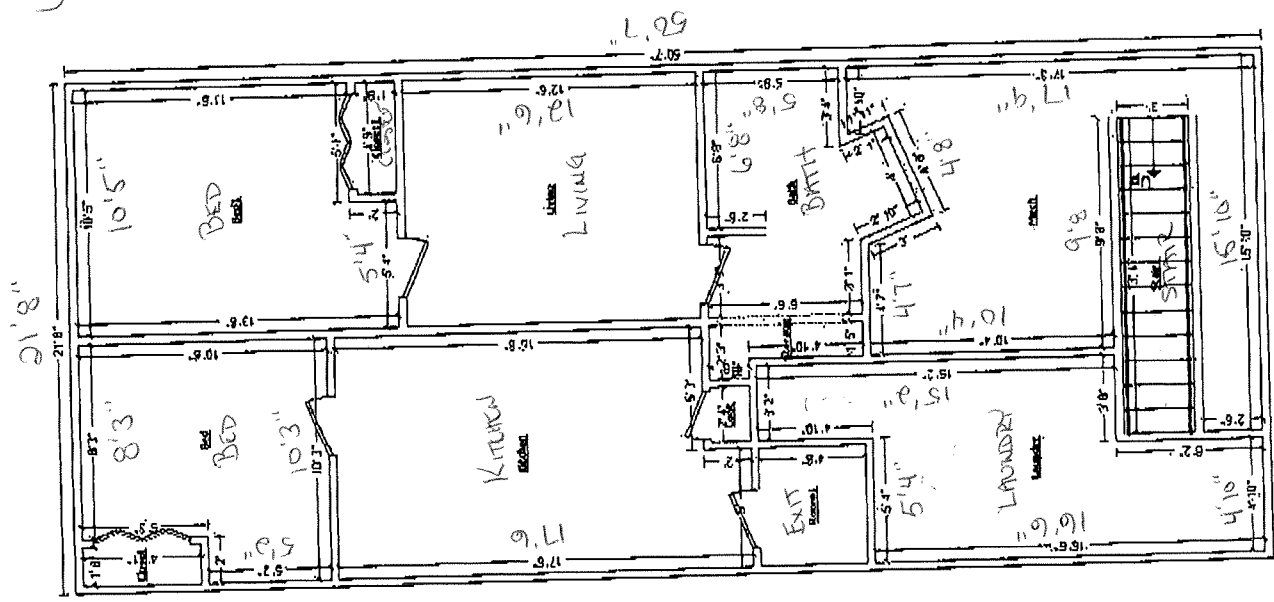
Page: 11

11/4/2009

BREND-909066-RC

Two BED (DOWNSTAIRS)
+ UTILITY

Garden Level



65
4
8
Garden Level

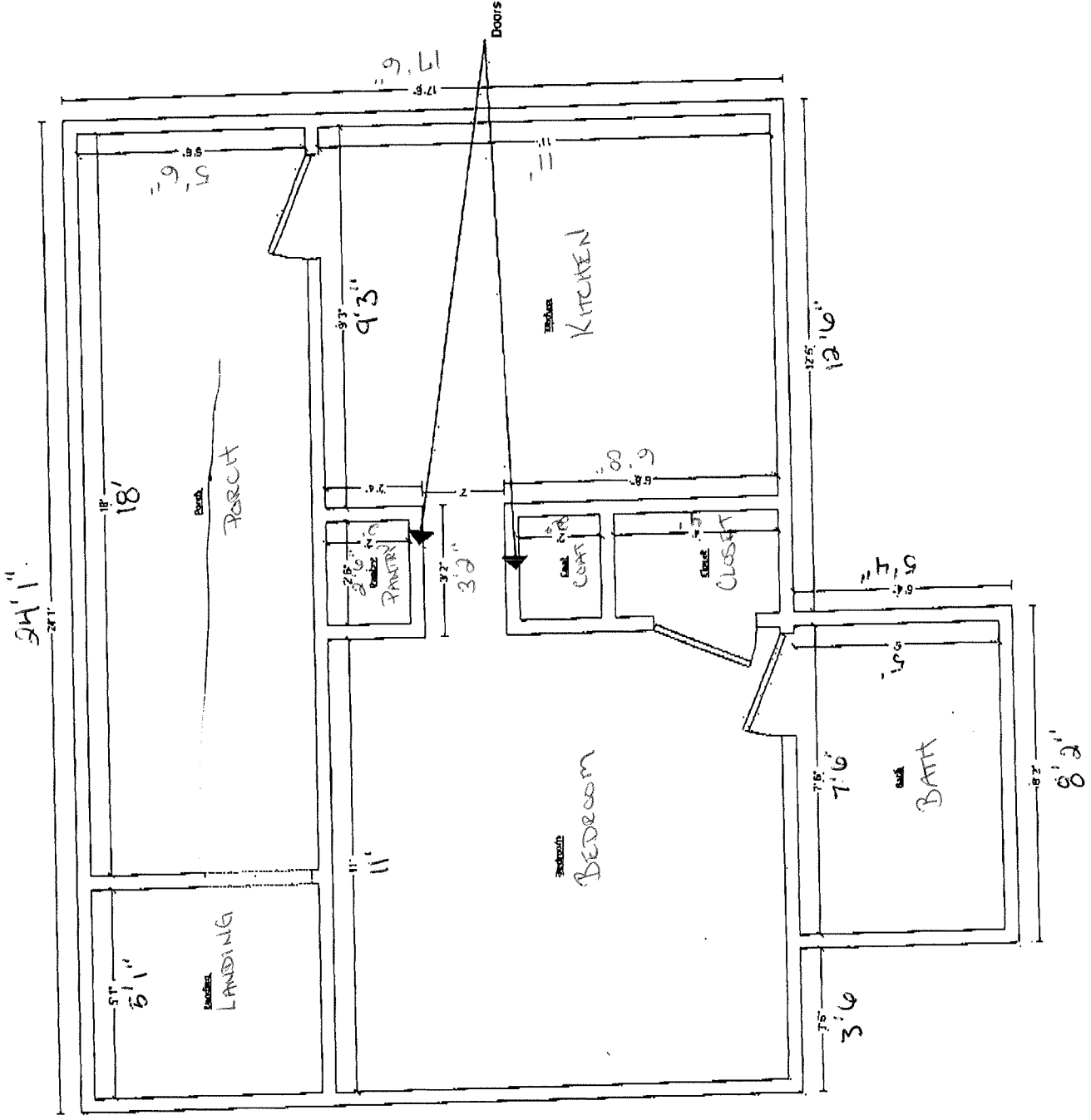
Page: 10

11/4/2009

BREND-909066-RC

STUDIO (TOP, NORTH)

North

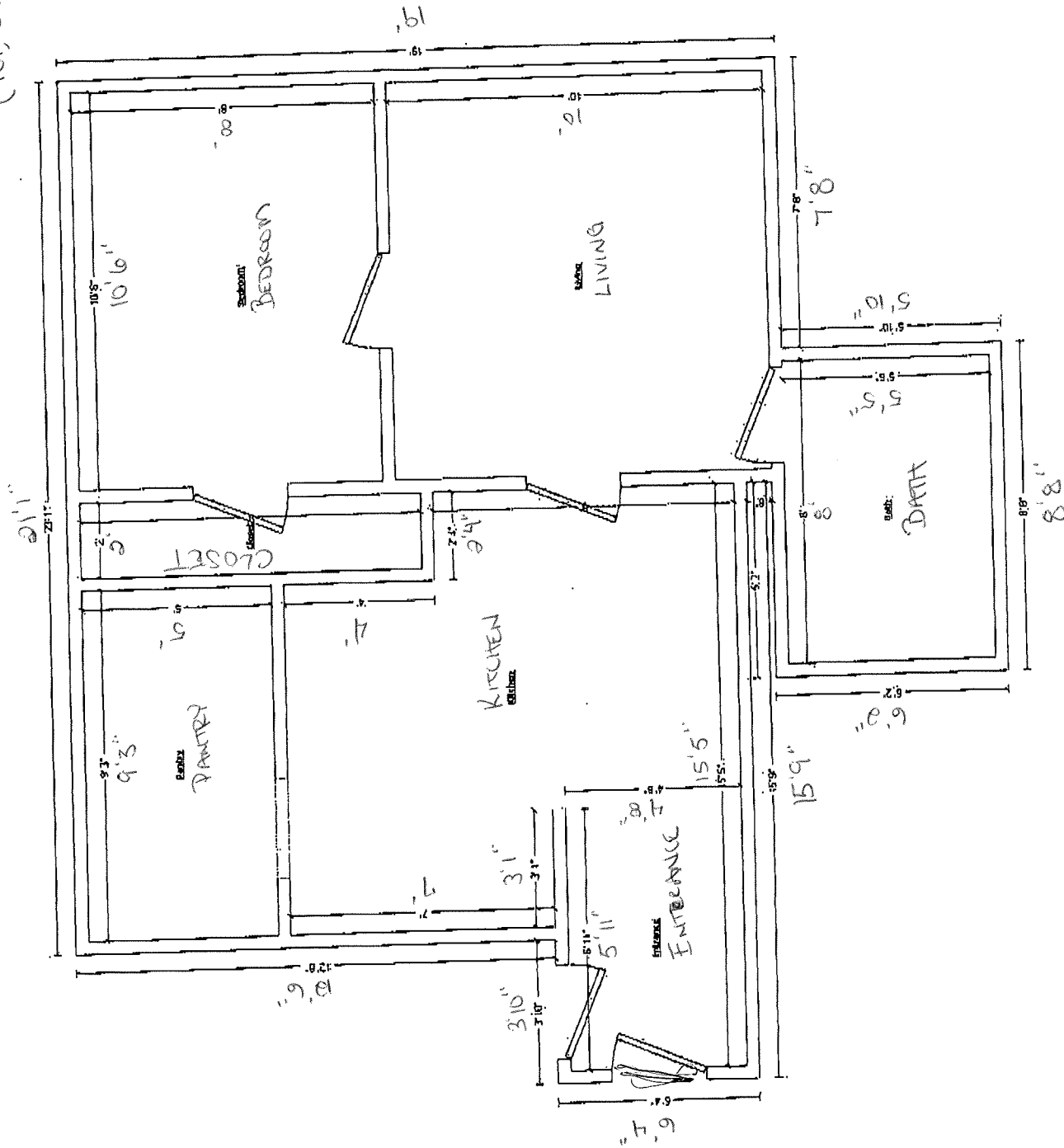


North

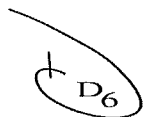
South



ONE BEDROOM
(Top, South)



50
11
South



District 6 Planning Council

213 Front Avenue
Saint Paul, MN 55117
651-488-4485 fax: 651-488-0343
district6@qwestoffice.net

December 8, 2009

Planning & Economic Development
Department of Zoning
252923130208-267 Front Avenue
Re-establishment of a nonconforming use permit vacant for more than 1 year

District 6 Planning Council received preliminary information concerning an application of a nonconforming use permit for the property located at 267 Front Avenue. District 6 Planning Council's Land Use Task Force recommends that the building has a single-family use, but will recommend approval of a duplex.

The present and past use as indicated on the application is single family and the proposed use is a four-plex. This structure sits close to the sidewalk on a small lot with the yard taken up by an industrial garage. Removing the garage would give more space, but there are concerns with land pollution. This application also runs counter to the District 6 Large Area Plan goals of increasing home ownership and decreasing the ratio of rental property and housing density. From a practical standpoint there is a surplus of housing units and high residential vacancies which should preclude adding more units.

According to the Team Inspection dated June 9, 2009 there are seventy-three deficiencies that must be corrected before a Certification of Occupancy is issued. The list runs from installing house numbers to repair walls, electrical issues to providing exits from units. The cost of rehabbing this structure may far outweigh the income generated by rehabbing it. District 6 Planning Council has adopted a set of criteria concerning the rehab of vacant buildings and this structure falls into the removal not rehab category. As stated, if this property is to be rehabilitated, the Land Use Task Force recommends it being a single family home.

If you have comments or questions please contact the office at the numbers above.

Regards,

Jeff Martens

Jeff Martens
Land Use Task Force Chairman

Cc: Councilmember Lee Helgen

AA-ADA-EEO-Employer

History for #09-424-870

3/5/87

To: File
From: Tom Beach
RE: Closing of file

This Site Plan Review file was closed on 3/5/87 as an inactive file.

We had not heard from the applicant in over 6 months so a letter was sent to the applicant instructing him to notify us if he wanted the file to be kept open. After 30 days no reply was received.

So we closed the puppy up!

APPLICATION FOR SITE PLAN REVIEW
CITY OF SAINT PAUL

Site Plan Review # 675

Application is hereby made to the Planning Commission for Site Plan Review under the provisions of Section 62.108 of the Zoning Code for the project and property described below:

PROJECT NAME: Expansion: Office & Storage

PROPERTY ADDRESS/LOCATION: 263-267 Front Ave. (N.W. cor. Galtier + Front)

LEGAL DESCRIPTION: Auerbach & Hands Edition. Lots 4 & 5. Lot 47

OWNER: Name Joseph J. Taney Address 1266 Galtier Phone 489-3151

APPLICANT: Name Same Address Phone

TYPE OF USE: Mixed - Business/Residential

Attach written narrative describing the development and type of use.

PROJECT COST ESTIMATE: \$60,000.00

\$3,500.00 Site Improvements (utilities, drainage facilities, paving, lighting)

\$300.00 Landscaping (planting materials, sodding/seeding)

\$3,800.00 TOTAL

Ten copies of a site plan are submitted which include the following information as described on the attached "Site Plan Review Requirement":

X Property boundaries
X Building locations and dimensions on and within 25 feet of property
X Roadways, access
N/R Grading Plan

X Drainage Plan
X Parking areas, loading docks, etc.
X Landscape Plan
N/R Utility Plan
N/A Easement locations
X ~~N/A~~ Development Summary

A Filing Fee of \$ 50.00***** is paid as required (see "Site Plan Review Requirements").

Applicant's signature David P. Linder Date 4-6-82 City Agent JS

If you have any questions, please contact:

St. Paul Zoning Office
1100 City Hall Annex
25 West Fourth Street
Saint Paul, Minnesota 55102
(298-4154)

pd. \$50.00 4/6/82

4101
1/1/82



GEORGE LATIMER
MAYOR

CITY OF SAINT PAUL
DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

DIVISION OF PLANNING
25 West Fourth Street, Saint Paul, Minnesota, 55102
612-298-4151

April 23, 1982

Joseph T. Taney
1266 Galtier
St. Paul, Minnesota 55117

Re: Letter of Intent to Approve Site Plan Review #675, Office Expansion,
263-267 Front Avenue (NW corner Galtier and Front)

Dear Mr. Taney:

We intend to approve the referenced site plan upon receipt of a performance bond agreement to ensure landscaping improvements of \$1000.00.

This intent to approve is subject to the following conditions:

1. Rainleaders must discharge to grade (to previous areas where possible).
2. A sanitary sewer plan must be submitted to the Sewer Division.
3. The site must be landscaped as indicated on the plan, dated April 21, 1982, and agreed to by the City's design staff and the contractor.

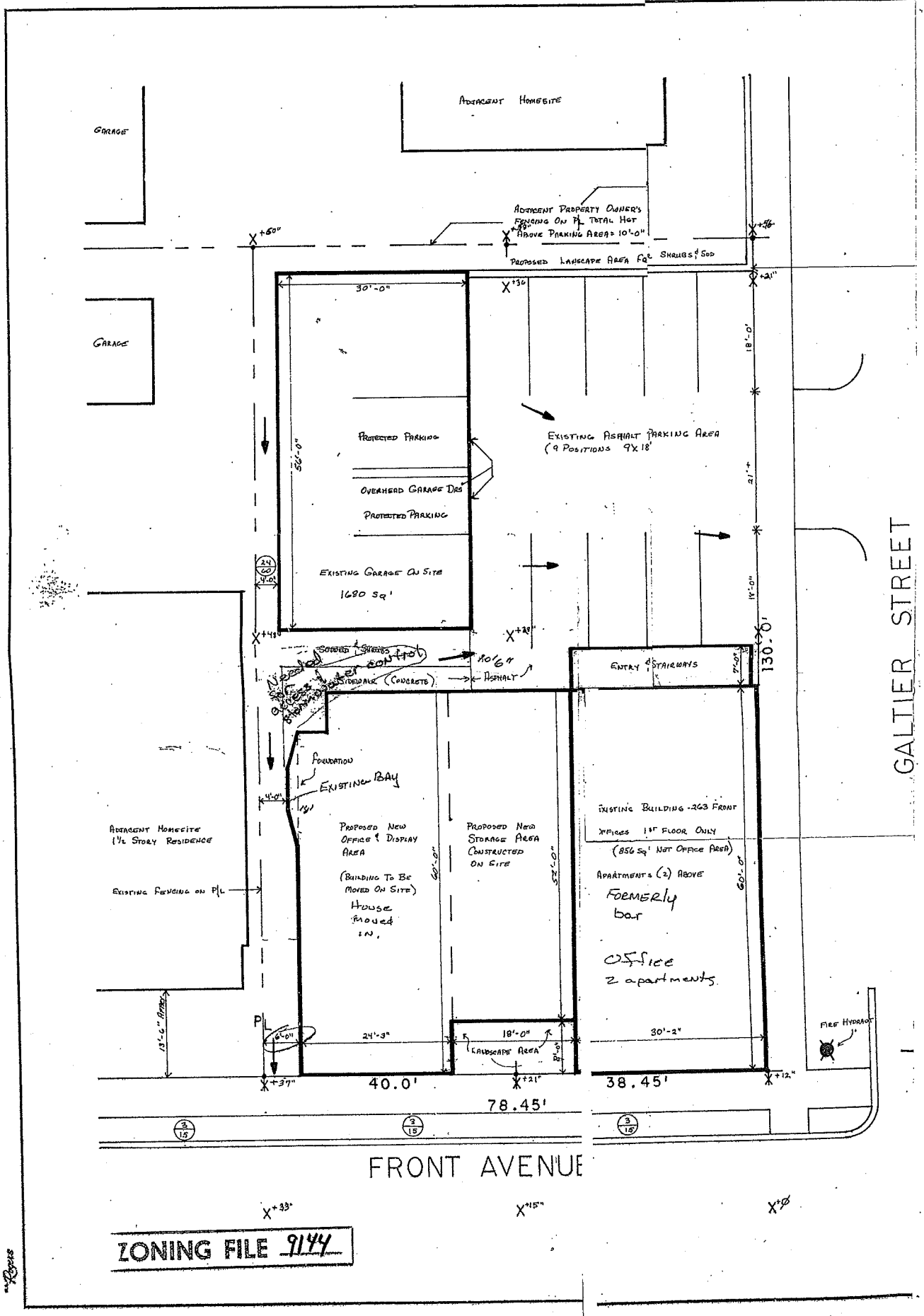
If you have any questions, please call Donna Daykin at 292-6224.

Sincerely,

Peggy A. Reichert

Peggy A. Reichert
Deputy Director - Planning

PAR/DD/cc



CONCRETE BLOCK RETAINING WALL - APPROX 4' HIGH ABOVE
PARKING SURFACE

PROPERTY BOUNDARY

PL

SPOT ELEVATIONS (INCHES - APPROX)

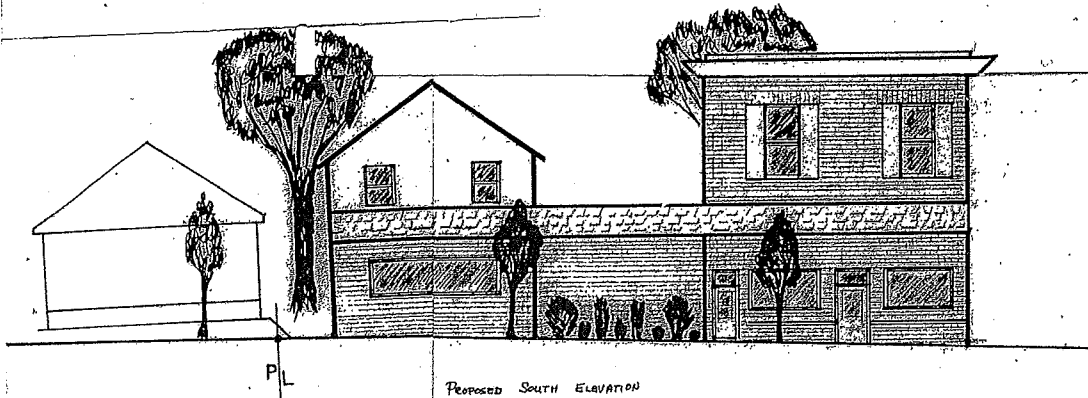
X ± 123

DRAINAGE FLOW



EXISTING TREES

TRUNK DIAMETER
APPROX HEIGHT



Proposed South Elevation

OFFICE EXPANSION

SCALE: 1" = 12'

APPROVED BY:

DRAWN BY: APL

DATE: 4-6-82

REVISED:

JOE TANEY GENERAL CONTRS.

DRAWING NUMBER:

Receipt No. _____

REPORT ON BUILDING TO BE MOVED
AND LOCATION AT NEW SITE

X Present Location 364 FRONT
X Type of Bldg: Single _____ Duplex X Apt. _____ Commercial _____
X Size: 24 x 51 ft. wide; _____ ft. long _____ ft. high.
No. of stories 2 Basement yes
Condition of Building GOOD

Code Violations: Window sizers to conform to present code
of 8% of floor area & provided for recesses &
egress from bed rooms. Damaged plaster and
floor to be replaced. All mech. & elec. to meet
present codes.

X MOVER'S NAME SEMPLE MOVERS
Address _____ License No. _____

X NEW LOCATION: On 265 ^{FRONT} side of WEST LOT OF 263 FRONT

X Between 263 & 267 FRONT and _____

Lot _____ Block _____ Add. _____

Zoning: B-2

Size of Lot Site plan submitted to H. Jones

Setback: Front _____ Side Yards _____ Rear Yard _____

Foundation Permit No. _____

MOVING ROUTE: _____

RECOMMENDATIONS: _____

2 APRIL 19 82
Inspector D. P. Roney

DEPARTMENT

GENERAL BUILDING PERMIT

CITY OF SAINT PAUL



CITY OF SAINT PAUL

OFFICE OF LICENSE, INSPECTIONS AND
ENVIRONMENTAL PROTECTION

BUILDING INSPECTION AND DESIGN

350 St Peter Street - Suite 300

Saint Paul, Minnesota 55102-1510 651-266-9090

Permit No.

183671

Egress Window

PLAN NO.

DATE

6/23/99

OWNER

Lonnie D. LeClair

OWNERS ADDRESS

263-267 Front Ave St Paul, MN

☐ OLD☐ NEW

TYPE CONST.

V-N

TYPE OF
OCCUPANCY

APARTMENT R-1

☐ BUILD☐ GRADING
AND EXC.☐ STUCCO OR
PLASTER☐ DRYWALL☐ FENCE☐ ADDITION☐ ALTER☐ REPAIR☐ MOVE☐ WRECK

NUMBER	STREET	SIDE	CROSS STREETS
267	Front Ave		

WARD	LOT	BLOCK	ADDITION OR TRACT

LOT	WIDTH	DEPTH	SIDE LOT CLEARANCE	BUILDING LINE	
				FRONT	REAR

STRUC- TURE	WIDTH	LENGTH	HEIGHT	STORIES

ESTIMATED VALUE	BASEMENT	TOTAL FLOOR AREA
\$600.00	<input type="checkbox"/> YES <input type="checkbox"/> NO	SQ. FT.

INCLUDE BASEMENT

DETAILS & REMARKS:

INSTALL EGRESS WDW IN BASEMENT
BEDROOM WDW

INSP- TODD BENSON @ 266-9028

TEL NO.

ARCHITECT

Lonnie LeClair

CONTRACTOR

OWNER-

ADDRESS & ZIP

MASONRY

PERMIT FEE

23.75

STATE
VALUATION

\$ 600.00

PLAN CHECK

STATE
SURCHARGE

.50

TOTAL FEE

\$ 24.25

06/23/99 001209:24AM CLERK 1

2611 BUILDING *23.75

9534 SURCHARGE B *.50

SUBTTL *24.25

CHECK TND *24.25

CHANGE *.00

APPLICANT CERTIFIES THAT ALL IN-
FORMATION IS CORRECT AND THAT
ALL PERTINENT STATE REGULATIONS
AND CITY ORDINANCES WILL BE COM-
PLIED WITH IN PERFORMING THE WORK
FOR WHICH THIS PERMIT IS ISSUED.CASHIER USE ONLY
WHEN VALIDATED THIS IS YOUR PERMIT

AUTHORIZED SIGNATURE
ADDRESS
OF JOB

267 Front Ave

(-263)
ZONING REVIEW REQUEST
Certificate of Occupancy

ADDRESS: 267 Front Ave DATE: 25 Nov 96
PIN/PARCEL CODE: 25-29-23-13-0139 REQUESTED BY: Jerry Stevens
2nd renovation
PREVIOUS USE: ?

CURRENT USE:

Duplex with large residential room count:
storage shed at rear of property with access from
Garrett St (Joe Loney Construction)

ZONING DISTRICT: B-2

COMMERCIAL USE:

ZONING STATUS FOR

RESIDENTIAL USE:

duplex
LEGAL

LEGAL NONCONFORMING

X ILLEGAL

by: K. Zacho

date: 12-6-96

COMMENTS:

50% of 1st floor in a B-2 zone must be used for
commercial purposes.

If checked, to be included in correction letter:

- [X] The use of the property does not conform to zoning requirements. Before the building may be certified, the zoning issue must be resolved. Contact the zoning section in the Building Code Division at 298-4212.
- [] There is an outstanding zoning problem on this property. Before the Certificate of Occupancy may be renewed, the zoning issue must be resolved. Contact the zoning section in the Building Code Division at 298-4212.

[]

ZONING WORKSHEET

ADDRESS: 267 Front
 PIN: 25-29-23-13-0139 dist 8

BUILDING CARD INFORMATION:

CONSTRUCTION DATE: _____ PERMIT: _____ TYPE OF STRUCTURE: _____

PERMITS COUNTY ASSESSOR'S RECORDS LICENSE RECORDS CITY DIRECTORY

10-28-1990 - wood 1 1/2 story br ~~st~~ awl.

move 6-8-82 - from 364 Front concl bldg.

LEGAL DESCRIPTION: Lots 4 + Lot 5 Blk 47 Auerbach + Harb
Add.

LOT SIZE: _____

CROSS STREETS: _____

ZONE	USE (C/NC)	UNITS PERMITTED	REQUIRED LOT SIZE	LOT SIZE (C/NC)
X	C			C
1922				
1960				
1964 <u>Concl</u>	<u>C</u>			
1975				
<u>B-2</u>	<u>NC</u>	ROOMS: UNITS:		

ZONING STATUS FOR _____ COMMERCIAL USE: _____ PLANNING: _____
duplex RESIDENTIAL USE: _____ ZONING FILE _____
 _____ LEGAL - CONFORMING _____ NO RECORD _____
 _____ LEGAL - CONFORMING USE WITH NON-CONFORMING LOT SIZE
 (for residential)
 _____ LEGAL - NON-CONFORMING USE
P ILLEGAL

50% 1st fl. s/b concl.
 12-6-96
 krz



267 Front Avenue



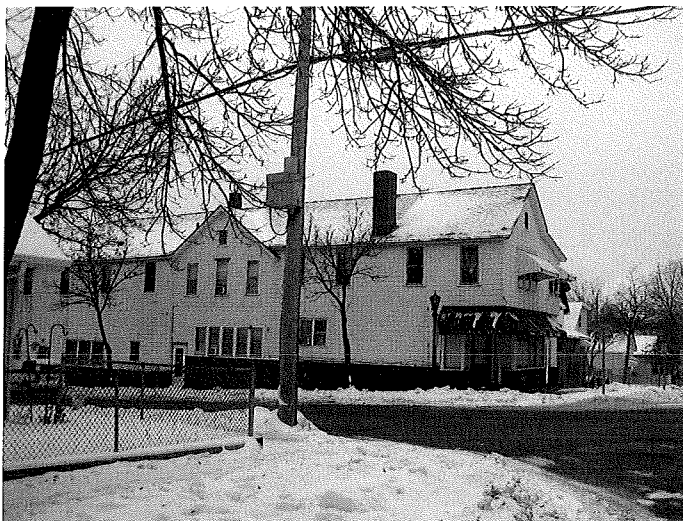
Commercial building to the east



Garage access to 267 Front Ave



Rear view of 267 Front Ave

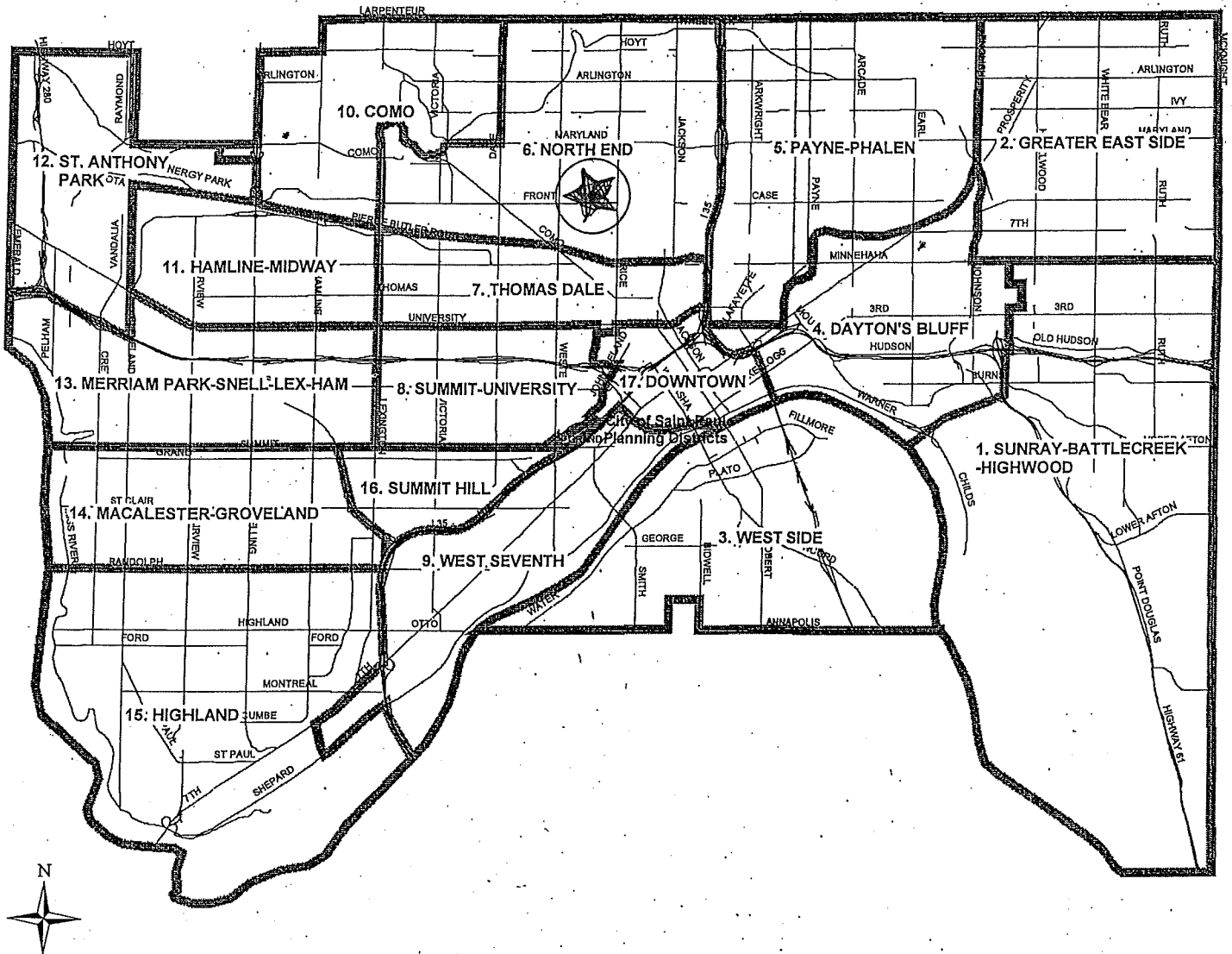


Properties across Front Avenue (SW & SE corners)



Adjacent property

CITIZEN PARTICIPATION DISTRICTS



CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE-MIDWAY
12. ST. ANTHONY
13. MERRIAM PK.-LEXINGTON HAMLINE
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

#09-424870